

SUMMARY OF HAWAII ADMINISTRATIVE RULE CHANGES

Note:

Existing Sections Indicated in BLACK New Sections Indicated in RED	Current Language with <u>Additions</u> and Deletions. For entirely new numbered sections and subsections, the “old” section name is referenced in column 1 and changes are shown in red in column 2. Additions are red text; deletions are surrounded by brackets [].	New Language in “Clean” Format For ease in reading, indentation is not used as in the actual rule document and line spaces that will not appear in the final document are inserted between subsections.	Rationale
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§8-54-1	<p>§8-54-1 Statement of purpose. (a) All of Hawaii's public school children deserve to be taught by teachers who are qualified to practice the profession of teaching. The provision of quality education for <u>all public school</u> children is a critical function of state government.</p>	<p><u>§8-54-1 Statement of purpose.</u> (a) All of Hawaii's public school children deserve to be taught by teachers who are qualified to practice the profession of</p>	Clarification

	<p>The highest standards must be applied to the training of teachers, the screening of applicants for employment and <u>the continued employment of teachers</u>. Teacher standards will also strengthen the school system's accountability to the public <u>by ensuring</u> that qualified teachers are employed in the public school system.</p> <p>(b) The purpose of this chapter is to set the standards by which public school teachers shall be licensed and relicensed. These standards shall be established by the Hawaii teacher standards board. [Eff 6/13/97; comp 7/18/98; comp 12/20/01; am and comp 8/13/04] (Auth: HRS §302A-803) (Imp: HRS §§302A-801 to -808)</p>	<p>teaching. The provision of quality education for all public school children is a critical function of state government. The highest standards must be applied to the training of teachers, the screening of applicants for employment and the continued employment of teachers. Teacher standards strengthen the school system's accountability to the public by ensuring that qualified teachers are employed in the public school system.</p> <p>(b) The purpose of this chapter is to set the standards by which public school teachers shall be licensed and relicensed. These standards shall be established by the Hawaii teacher standards board. [Eff 6/13/97; comp 7/18/98; comp 12/20/01; am and comp 8/13/04] (Auth: HRS §302A-803) (Imp: HRS §§302A-801 to -808)</p>	
§8-54-1.1	§8-54-1.1 Authority. The	§8-54-1.1	Clarification

<p>Was §8-54-8</p>	<p>Hawaii teacher standards board shall administer the licensing and relicensing process in accordance with applicable provisions in chapter 302A, Hawai'i Revised Statutes, and the standards provided in this chapter. The superintendent and charter school administrator shall administer the emergency hire process in accordance with applicable provisions in sections 302A-801-808, Hawai'i Revised Statutes and the standards provided in this chapter.</p>	<p>Authority. The Hawaii teacher standards board shall administer the licensing and relicensing process in accordance with applicable provisions in chapter 302A, Hawai'i Revised Statutes, and the standards provided in this chapter. The superintendent of the department of education and charter school administrator shall administer the emergency hire process in accordance with applicable provisions in sections 302A-801-808, Hawai'i Revised Statutes and the standards provided in this chapter.</p>	<p>Adding charter school administrator as responsible for administering the emergency hire process for charter schools.</p>
<p>§8-54-2</p>	<p>§8-54-2 Historical note. The eighteenth legislature of the state of Hawaii enacted Act 240, which transferred the authority for setting public school teacher certification standards from the department of education to the Hawaii teacher standards board. Its aim was to accord the teaching profession a status comparable to that of other professions. The legislature's action was consistent with efforts occurring nationally to establish standards to evaluate teacher qualification for employment.</p>	<p>REPEALED</p>	<p>Housekeeping: subject matter is redundant and adds no additional clarity to that already provided by statute.</p>

	The twenty-first legislature of the State of Hawaii enacted Act 312, which transferred the authority for issuing and renewing teaching licenses from the department of education to the Hawaii teacher standards board.		
§8-54-2.1 Was 8-54-4	<u>§8-54-2.1 Applicability.</u> Any action relating to the screening and hiring of teacher applicants by the department or charter schools shall be in accordance with the standards provided in this chapter. [Beginning with the 2002-03 school year, no person paid under the salary schedule contained in the unit 05 collective bargaining agreement shall serve as a teacher in the department without first having obtained a license or permit from the board in such form as the board determines.] All licenses and permits issued by the board shall be renewable every five years , provided the licensee or permittee continues to satisfy the board's licensing standards and the license renewal requirements set by the Board .	<u>§8-54-2.1 Applicability.</u> Any action relating to the screening and hiring of teacher applicants by the department or charter schools shall be in accordance with the standards provided in this chapter. All licenses and permits issued by the board shall be renewable provided the licensee or permittee continues to satisfy the board's standards and the renewal requirements.	Clarification/readability
§8-54-2.2 Was 8-54-17	<u>§8-54-2.2 Delegation of Powers.</u> (a) The board delegates authority to the Executive Director to complete the [following] actions set forth in subsections (b) and (c) . All delegated actions will be presented to the Board at their next regularly scheduled meeting. [Grant initial licenses, added fields and permits when the following criteria have been	<u>§8-54-2.2 Delegation of Powers.</u> (a) The board delegates authority to the Executive Director to complete the actions set forth in subsections (b) and (c). All delegated actions will be presented to the Board at	Clarification/readability

met:]

(b) The Executive Director is authorized to grant initial licenses, added fields and permits when the following criteria have been met:

- (1) All forms, tests and documentation for meeting licensing and permit requirements have been submitted by the applicant and received by [HTSB] the board's office[,]; [and]
- (2) Forms and documentation are complete[,]; [and]
- (3) There are no professional fitness issues[,]; and
- (4) All fees have been paid.

[Grant license and permit renewals when the following criteria have been met:]

(c) The Executive Director is further authorized to grant license and permit renewals when the following criteria have been met:

- (1) All forms and documentation for meeting renewal requirements have been submitted by the applicant and received by [HTSB] the board's office[,]; [and]
- (2) Forms and documentation are complete[,]; [and]
- (3) There are no professional fitness issues[,]; and
- (4) All fees have been paid.

their next regularly scheduled meeting.

(b) The Executive Director is authorized to grant initial licenses, added fields and permits when the following criteria have been met:

- (1) All forms, tests and documentation for meeting licensing and permit requirements have been submitted by the applicant and received by the board's office;
- (2) Forms and documentation are complete;
- (3) There are no professional fitness issues; and
- (4) All fees have been paid.

(c) The Executive Director is further authorized to grant license and permit renewals when the following

		<p>criteria have been met:</p> <ul style="list-style-type: none"> (1) All forms and documentation for meeting renewal requirements have been submitted by the applicant and received by the board's office; (2) Forms and documentation are complete; (3) There are no professional fitness issues; and (4) All fees have been paid. 	
<p>§8-54-2.3 Was 8-54-15</p>	<p><u>§8-54-2.3 Electronic capture of documents.</u> As part of the Board's implementation of its on-line licensing and relicensing system, e Electronic records of the Board as may be certified by the custodian of records, shall constitute the official business records of the board.</p>	<p><u>§8-54-2.3 Electronic capture of documents.</u> Electronic records of the Board as may be certified by the custodian of records, shall constitute the official business records of the board.</p>	<p>Deletes unnecessary language.</p>
<p>§8-54-2.4 Was §8-54-5 and §8-54-14</p>	<p><u>§8-54-2.4 License and permit fees.</u> (a) The payment of fees is a requirement for issuance of the license or permit. In the case of an approved payment plan for payment of license or renewal</p>	<p><u>§8-54-2.4 License and permit fees.</u> (a) The payment of fees is a requirement for issuance of the license or</p>	<p>Combines all fee information into one section.</p> <p>Clarifies information.</p>

fees, interval payments shall be made according to the payment plan agreement and if in non-compliance may be grounds for appropriate action.

(b) If a licensee fails to pay the license or permit fees, the license or permit may be automatically [converted to] forfeited [status] until the licensee or permittee restores the license in a manner determined by the board.

(c) Once a license or permit has been issued there shall be no refund of fees.

(d) Whenever the board is fiscally able to apply a discount for online applications and renewals, it may decrease the amount charged to the applicant, licensee or permittee for fee payments made using the online licensing system. The board shall specify the length of time the discount will be in effect at a regularly scheduled meeting. Nothing shall require the continuance of an online discount when the board determines it cannot fiscally do so.

(e) The following fees shall be applicable when applying for a license or permit:

Provisional license fee per year

~~\$48~~ \$54

Standard license fee per year

~~\$48~~ \$54

Advanced license fee per year

~~\$48~~ \$54

Emergency Hire fee per year

~~\$48~~ \$54

CTE special permit fee per year

~~\$48~~

permit. In the case of an approved payment plan for payment of license or renewal fees, interval payments shall be made according to the payment plan agreement and if in non-compliance may be grounds for appropriate action.

(b) If a licensee fails to pay the license or permit fees, the license or permit may be automatically forfeited until the licensee or permittee restores the license in a manner determined by the board.

(c) Once a license or permit has been issued there shall be no refund of fees.

(d) Whenever the board is fiscally able to apply a discount for online applications and renewals, it may decrease the amount charged to the applicant, licensee or permittee for fee payments made using the online licensing system. The board shall specify the

Adds option for a discount if board is able to do so.

Adjusts fee from \$48 to \$54 to cover cost of online licensing system.

Adds SATEP/EPP fees.

\$54
Niihau special permit fee per
year ~~\$48~~ \$54
License application fee using
paper form \$25
Adding a licensing field to
an existing license, per
field \$25
Name change using paper form
\$25
Late payment of license or
renewal fee \$25
Restoration fee
\$25
SATEP Data Entry Correction
Fee per error \$300
Registration Fee for Out of
State Education Preparation
Providers operating in Hawaii
\$500
Provisional Review fee for
new Units \$1,000
Provisional Review fee for
each new license field \$500

length of time the discount will be in effect at a regularly scheduled meeting. Nothing shall require the continuance of an online discount when the board determines it cannot fiscally do so.

(e) The following fees shall be applicable when applying for a license or permit:

Provisional license fee per year \$54

Standard license fee per year \$54

Advanced license fee per year \$54

Emergency Hire fee per year \$54

CTE special permit fee per year \$54

Niihau special permit fee per year \$54

License application fee using paper form \$25

Adding a licensing field to an existing license, per field \$25

Name change using paper form

		<p>\$25 Late payment of license or renewal fee \$25 Restoration fee \$25 SATEP Data Entry Correction Fee per error \$300 Registration Fee for Out of State Education Preparation Providers operating in Hawaii \$500 Provisional Review fee for new Units \$1,000 Provisional Review fee for each new license field \$500</p>	
\$8-54-2.5	<p><u>\$8-54-2.5 Approved payment plan.</u> (a) As allowed by the board, a licensee or permittee may elect to participate in various payment plans set forth by the board to pay license and renewal fees.</p> <p>(b) Failure to keep compliant with timely and complete payments shall be regarded as failure to pay required fees for license or renewal and shall be grounds for automatic forfeiture of the license or permit. A person with a forfeited license is prohibited from engaging in the teaching profession.</p> <p>(c) The board may restore a forfeited license under these circumstances if the licensee becomes current with all payments. Failure to restore</p>	<p><u>\$8-54-2.5 Approved payment plan.</u> (a) As allowed by the board, a licensee or permittee may elect to participate in various payment plans set forth by the board to pay license and renewal fees.</p> <p>(b) Failure to keep compliant with timely and complete payments shall be regarded as failure to pay required fees for license or renewal and shall be grounds for automatic</p>	<p>Added in light of new definition for payment plan and other payment plan content contained in definitions (that were not appropriate for "definitions" section.</p>

	<p>in a timely manner as determined by the board shall cause the forfeited license to be terminated. A person with a terminated licensed shall apply for a new license or permit and meet current application requirements.</p>	<p>forfeiture of the license or permit. A person with a forfeited license is prohibited from engaging in the teaching profession.</p> <p>(c) The board may restore a forfeited license under these circumstances if the licensee becomes current with all payments. Failure to restore in a timely manner as determined by the board shall cause the forfeited license to be terminated. A person with a terminated licensed shall apply for a new license or permit and meet current application requirements.</p>	
<p>\$8-54-2.6 Was §8-54-6</p>	<p>\$8-54-2.6 Hawai'i teacher standards board [revolving] special fund. All fees collected shall be deposited in the Hawai'i teacher standards board [revolving] special fund established within the state treasury. All other monies received by the board as appropriations, fines, grants or donations shall be deposited in the [revolving] special fund. The fund shall be administered by the department and used to pay the expenses of the board, including but not limited to,</p>	<p><u>\$8-54-2.6 Hawai'i teacher standards board special fund.</u> All fees collected shall be deposited in the Hawai'i teacher standards board special fund established within the state treasury. All other monies received by the board as appropriations, fines, grants or donations shall</p>	<p>Revised to reflect HTSB's self-sufficiency and sole use of special funds.</p>

	the payment of all operational personnel costs and reimbursements of board members for travel expenses incurred.	be deposited in the special fund. The fund shall be administered by the department and used to pay the expenses of the board, including but not limited to, the payment of all operational personnel costs and reimbursements of board members for travel expenses incurred.	
§8-54-3 New and revised definitions are shown in this section, with each definition in a separate row for readability.	NA	"Accreditation" means a process for assessing and enhancing academic and educational quality through peer review. National accreditation informs the public that an institution has a professional education unit that has met state, professional, and institutional standards of educational quality. National accrediting bodies are approved by the US Department of Education to accredit teacher education programs.	New definition needed.
§8-54-3, continued	"Censure" means an official reprimand by the Hawaii Teacher Standards Board <u>a formal or stern warning given by the</u>	"Censure" means a formal or stern warning given by the board.	Clarification needed and separate definition has been created for

	<u>board</u> .		"Reprimand".
§8-54-3, continued	NA	"Charter schools" means public schools holding charters to operate as charter schools under chapter 302D, including start-up and conversion charter schools, that have the flexibility to implement alternative frameworks with regard to curriculum, facilities management, instructional approach, length of the school day, week, or year, and personnel management.	New definition needed.
§8-54-3, continued	NA	"Charter School Administrator" means head of a local school board of a Charter School.	New definition needed.
§8-54-3, continued	NA	"Condition" means a qualification, restriction, limitation, or requirement imposed on the licensee or permittee that must be true or done.	New definition needed.
§8-54-3, continued	NA	"Deny" means to withhold or refuse to grant a license or permit.	New definition needed.

§8-54-3, continued	NA	"Educator Preparation Provider" means a teacher, School counselor or school librarian preparation program that meets the board's state approval performance standards and has been reviewed and approved in an approval process specified by the board.	New definition needed.
§8-54-3, continued	"Emergency Hire" means an unlicensed employee of the department <u>a public school</u> paid under the salary schedule contained in the unit 5 collective bargaining agreement.	"Emergency Hire" means an unlicensed employee of a public school paid under the salary schedule contained in the unit 5 collective bargaining agreement.	Clarification needed.
§8-54-3, continued	NA	"Employer" means any public, charter, independent or private school which hires teachers, school counselors and school librarians.	New definition needed.
§8-54-3, continued	NA	"Fee" means any monetary amount assessed to process, issue, modify, correct, or approve a license or permit. Fee also means any monetary amount assessed to process, issue,	New definition needed.

		modify, correct, or approve a teacher education program; or to an institution for the processing or correction of data or information.	
§8-54-3, continued	NA	"Forfeit" or "forfeited" or "forfeiture" shall refer to and mean the status of a license or permit that has been automatically cancelled for failure to renew the license or permit, or for failure to comply with the provisions of section 8-54-2.4.	New definition needed.
§8-54-3, continued	"License" means the document signifying the board's grant of permission-recognition granted by the board to practice the profession of teaching.	"License" means the recognition granted by the board to practice the profession of teaching.	Clarification needed.
§8-54-3, continued	"Licensee" means for an individual awarded a the holder of a valid Hawaii teaching license which is valid .	"Licensee" means the holder of a valid Hawaii teaching license.	Clarification needed.
§8-54-3, continued	NA	"Meritorious New Teacher Candidate" means a designation awarded to teacher candidates in states approved by the board who meet rigorous criteria in areas that have been shown to	New definition needed.

		correlate with student learning gains; strong verbal skills; a high level of mastery of their subject matter; in-depth student teaching, and excellence in their professional program.	
§8-54-3, continued	NA	"Payment plan" shall refer to and mean a binding agreement on the licensee or permittee to make required payments in a timely manner to comply with license, permit, or renewal requirements.	New definition needed.
§8-54-3, continued	"Permit" means a limited duty special permit as defined by §8-54- 11 <u>9.6</u> .	"Permit" means a limited duty special permit as defined by §8-54-9.6.	Housekeeping.
§8-54-3, continued	NA	"Private Employer" for purposes of teacher licensure refers to private employers of teachers and means local school boards for Hawaii private schools.	New definition needed.
§8-54-3, continued	NA	"Program" means a planned sequence of courses and experiences for the purpose of preparing teachers and other school	New definition needed.

		professionals to work in pre-kindergarten through twelfth grade settings. Programs may lead to a degree, a recommendation for a state license, both, or neither.	
§8-54-3, continued	NA	"Public school" means an academic and non-college type school established and maintained by the department of education or a charter school chartered by the board of education in accordance with law.	New definition needed.
§8-54-3, continued	NA	"Reinstate" or "reinstatement" shall refer to and mean a determination by the board to allow a person who has met requirements set by the board to engage in the practice of teaching following a license or permit suspension or disciplinary condition.	New definition needed.
§8-54-3, continued	"Renewal" <u>"Renew" or "renewal"</u> means a determination by the board, prior to expiration of a the initial license or permit, to granting an grant additional five years of validity based on the number of years the license or permit is eligible	"Renew" or "renewal" means a determination by the board, prior to expiration of a the initial license or permit, to grant additional years	Clarification needed.

	to be renewed.	of validity based on the number of years the license or permit is eligible to be renewed.	
§8-54-3, continued	NA	"Reprimand" shall have the same meaning as "Censure".	New definition needed.
§8-54-3, continued	"Revocation" means permanent lifetime loss of a teaching license or permit <u>for not less than five years.</u>	"Revocation" means loss of a teaching license or permit for not less than five years.	To conform with statute requirements under §92-17(c) (2).
§8-54-3, continued	NA	"School Counselor" means a person whose duties are primarily promoting and enhancing the learning process within the context of academic development, career development and personal/social development and may also mean the same as "teacher" for purposes of this chapter.	New definition needed.
§8-54-3, continued	NA	"School Librarian" means a person whose duties are primarily administering the library media program at the individual school level and may also mean the same as "teacher" for purposes of this chapter.	New definition needed.
§8-54-3, continued	NA	"Specialized Professional	Board inserted this term and needs to

		Associations” or “SPAs” are national organizations that represent teachers, professional education faculty, and other school professionals who teach a specific subject matter, teacher students at a specific developmental level, teacher students with specific needs, or provide services to students.	approve definition, which is adopted from the NCATE/CAEP definition for SPAs.
§8-54-3, continued	“Superintendent” means the state superintendent of <u>the department of education</u> .	“Superintendent” means the state superintendent of the department of education.	Clarification needed.
§8-54-3, continued	“Suspension” means temporary loss of a teaching license/permit <u>for not more than five years due to a disciplinary action by the board</u> .	“Suspension” means temporary loss of a teaching license/permit for not more than five years due to a disciplinary action by the board.	To conform with statute requirements under §92-17(c) (1) .
§8-54-3, continued	NA	“Teacher” means a person whose duties in the public school system are primarily teaching or instruction of students or related activities centered primarily on students and who	New definition needed.

		is in close and continuous contact with students, and shall include but not be limited to classroom teachers, school librarians, counselors, registrars, and special education teachers.	
§8-54-3, continued	NA	"Teacher Leader" means an educator identified by his/her employer who assumes formally or informally one or more of a wide array of leadership roles to support teaching and learning.	New definition needed.
§8-54-3, continued	NA	"Terminate" or "Terminated" or "Termination" shall refer to and mean the status of a license or permit that has been automatically cancelled for failure to timely restore a forfeited license or permit.	New definition needed.
§8-54-3, continued	NA	"Unit" or "professional education unit" means the college, school, department, or other administrative body in colleges, universities, or other	New definition needed.

		<p>organizations with the responsibility for managing or coordinating all programs offered for the initial and advanced preparation of teachers and other school professionals, regardless of where these programs are administratively housed in an institution. The professional education unit must include in its accreditation review all programs offered by the institution for the purpose of preparing teachers and other school professionals to work in pre-kindergarten through twelfth grade settings.</p>	
<p>§8-54-3 §8-54-3, continued</p>		<p>"Valid license or valid permit" means a license or permit issued or renewed by the board after all criteria set by the Board have been met and authorizes the licensee or permittee to engage in the teaching profession.</p>	<p>New definition needed.</p>
<p>§8-54-3.1 Was §8-</p>	<p>§8-54-3.1 Penalties. (a) Any person who engages in the</p>	<p>§8-54-3.1 Penalties. (a)</p>	<p>Clarification</p>

54-7	<p>profession of teaching <u>as a classroom teacher, school librarian or school counselor</u> in a public school without first being issued a license shall be fined up to <u>\$500 per school year</u>.</p> <p>(b) Any person <u>employer</u> who knowingly or intentionally violates this chapter by employing an individual as a public school <u>classroom teacher, school librarian or school counselor</u> who does not possess a valid license may be fined up to <u>\$500 per school year</u>.</p> <p>(c) All fines collected shall be deposited into the Hawai'i teacher standards board [revolving] special fund.</p> <p>(d) The \$500 fine is not applicable for emergency hires. The board shall adopt such rules as may be necessary in carrying out this section.</p>	<p>Any person who engages in the profession of teaching as a classroom teacher, school librarian or school counselor in a public school without first being issued a license shall be fined \$500 per school year.</p> <p>(b) Any employer who knowingly or intentionally violates this chapter by employing an individual as a public school classroom teacher, school librarian or school counselor who does not possess a valid license may be fined \$500 per school year.</p> <p>(c) All fines collected shall be deposited into the Hawai'i teacher standards board special fund.</p> <p>(d) The \$500 fine is not applicable for emergency hires. The board shall adopt such rules as may be necessary in carrying out this section.</p>	
\$8-54-3.2	[RESERVED]		This title is reserved for future

			use.
§8-54-3.3	[RESERVED]		This title is reserved for future use.
§8-54-3.4	[RESERVED]		This title is reserved for future use.
§8-54-4	REPEALED	Covered in new 8-54-2.1	
§8-54-5	REPEALED	Covered in new 8-54-2.4	
§8-54-6	REPEALED	Covered in new 8-54-2.6	
§8-54-7	REPEALED	Covered in new 8-54-3.1	
§8-54-8	REPEALED	Covered in new 8-54-1.1	
§8-54-9	REPEALED	Covered in new 8-54-9.1 through 8-54-9.8	
§8-54-9.1 Was 8-54-9 (a) (i)	<p style="text-align: center;">SUBCHAPTER 2</p> <p>LICENSE AND PERMITS; RENEWALS</p> <p>§8-54-9.1 <u>Provisional license.</u> A non-renewable provisional license may be granted to an applicant for three (3) years provided that the individual has met the following criteria:</p> <ol style="list-style-type: none"> (1) <u>Satisfactorily</u> completed a State-approved teacher, librarian or counselor education program; (2) <u>Demonstrated basic skills and subject area competency in a manner prescribed by the board:</u> (3) Obtained clearance in the professional fitness check; and (4) Pays license fees as established by the board. 	<p style="text-align: center;">SUBCHAPTER 2</p> <p>LICENSE AND PERMITS; RENEWALS</p> <p>§8-54-9.1 <u>Provisional license.</u> A non-renewable provisional license may be granted to an applicant for three (3) years provided that the individual has met the following criteria:</p> <ol style="list-style-type: none"> (1) Satisfactorily completed a State-approved teacher, librarian or counselor education program; (2) Demonstrated basic skills and subject area competency 	<p>The Provisional License will become the first license issued to applicants who have less than three years' experience as teacher of record in a classroom. The criteria add verification of basic skills to prior requirements. The Provisional License is eligible to be used for HQT purposes.</p>

		<p>in a manner prescribed by the board:</p> <p>(3) Obtained clearance in the professional fitness check; and</p> <p>(4) Pays license fees as established by the board.</p>	
<p>§8-54-9.2 Was 8-54-9 (a) (ii)</p>	<p>§8-54-9.2 <u>Standard license.</u> (a) A <u>renewable</u> standard license may be granted to an applicant for five (5) years provided that the individual has <u>met the following criteria:</u></p> <p>(1) Satisfactorily completed a State-approved teacher, librarian or counselor education program;</p> <p>(2) <u>Demonstrated basic skills and subject area competency in a manner prescribed by the board;</u></p> <p>(3) Obtained clearance in the professional fitness check;</p> <p>(4) Pays license fees as established by the board; and</p> <p>(5) <u>Effective July 1, 2015, submits verification of at least three (3) out of the last five (5) years of satisfactory full time teaching in Hawaii or another state;</u></p> <p>(b) A renewable standard license may also be granted to an applicant for five (5) years provided that the individual has met the following criteria:</p>	<p>§8-54-9.2 <u>Standard license.</u> (a) A renewable standard license may be granted to an applicant for five (5) years provided that the individual has met the following criteria:</p> <p>(1) Satisfactorily completed a State-approved teacher, librarian or counselor education program;</p> <p>(2) Demonstrated basic skills and subject area competency in a manner prescribed by the board;</p> <p>(3) Obtained clearance in the professional fitness check;</p> <p>(4) Pays license fees as</p>	<p>Adds the requirement of three years of experience as a teacher of record to hold the full professional license.</p> <p>Adds the following clarifications for obtaining this license:</p> <p>Full reciprocity for those licensed in another state since July 1, 2006 (Option d);</p> <p>Clarifies reciprocity for those licensed in another state at any time, in that they must verify basic skills and content knowledge prior to licensure (Option e);</p> <p>Adds an alternative route to license using a pre-service performance assessment and evaluation by an EPP (Option f)</p>

	<p>(1) Possesses a valid National Board Certification in the field for which a license is sought and holds a valid license from a state that participates in the Interstate Agreement on Qualification of Personnel;</p> <p>(2) Obtained clearance in the professional fitness check;</p> <p>(3) Pays license fees as established by the board; and</p> <p>(4) <u>Effective July 1, 2015, submits verification of at least three (3) out of the last five (5) years of satisfactory full time teaching in Hawaii or another state;</u></p> <p>(c) A renewable standard license may also be granted to an applicant for five (5) years provided that the individual has met the following criteria:</p> <p>(1) Has received the Meritorious New Teacher Candidate (MNTC) designation on his/her valid teaching license from a state that is a signatory to the MNTC program;</p> <p>(2) Obtained clearance in the professional fitness check;</p> <p>(3) Pays license fees as established by the board; and</p> <p>(4) <u>Effective July 1, 2015, submits verification of at least three (3) out of the last seven five (5) years of satisfactory full time teaching in Hawaii or another state;</u></p>	<p>established by the board; and</p> <p>(5) Effective July 1, 2015, submits verification of at least three (3) out of the last five (5) years of satisfactory full time teaching in Hawaii or another state;</p> <p>(b) A renewable standard license may also be granted to an applicant for five (5) years provided that the individual has met the following criteria:</p> <p>(1) Possesses a valid National Board Certification in the field for which a license is sought and holds a valid license from a state that participates in the Interstate Agreement on Qualification of Personnel;</p> <p>(2) Obtained clearance in</p>	
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(d) A renewable standard license may also be granted to an applicant for five (5) years provided that the individual has met the following criteria:

- (1) Possesses a valid unrevoked teaching license from another state issued for the first time on or after July 1, 2006;
- (2) Obtained clearance in the professional fitness check;
- (3) Pays license fees as established by the board; and
- (4) Effective July 1, 2015, submits verification of at least three (3) out of the last five (5) years of satisfactory full time teaching in Hawaii or another state;

(e) A renewable standard license may also be granted to an applicant for five (5) years provided that the individual has met the following criteria:

- (1) Possesses a valid unrevoked teaching license from another state for at least three (3) out of the last five (5) years;
- (2) Passed all licensing tests required by the State which issued the valid license being used to apply under this section. If the other state did not test for subject area and basic skills competency the applicant must demonstrate basic skills and subject area competency in a manner

the professional fitness check;

- (3) Pays license fees as established by the board; and
- (4) Effective July 1, 2015, submits verification of at least three (3) out of the last five (5) years of satisfactory full time teaching in Hawaii or another state;

(c) A renewable standard license may also be granted to an applicant for five (5) years provided that the individual has met the following criteria:

- (1) Has received the Meritorious New Teacher Candidate (MNTC) designation on his/her valid teaching license from a state that is a signatory to the MNTC program;
- (2) Obtained

	<p><u>prescribed by the Board;</u></p> <p>(3) <u>Obtained clearance in the professional fitness check;</u></p> <p>(4) <u>Pays license fees as established by the board; and</u></p> <p>(5) <u>Effective July 1, 2015, submits verification of at least three (3) out of the last five (5) years of satisfactory full time teaching in Hawaii or another state.</u></p> <p>(f) A renewable standard license may also be granted to an applicant for five (5) years provided that the individual has met the following criteria:</p> <p>(1) <u>Pass [an HTSB] a board approved performance assessment normed for Hawaii in combination with any other requirements determined by a Hawaii preparation program to be recommended for licensure by the program;</u></p> <p>(2) <u>Demonstrate basic skills competency through passage of licensure assessments, or possession of a baccalaureate degree awarded by an accredited institution of higher education;</u></p> <p>(3) <u>Demonstrate subject matter competency through passage of licensure assessments, content major, coursework, advanced degree, national certification or other HTSB approved demonstration of equivalent subject matter competency;</u></p>	<p>clearance in the professional fitness check:</p> <p>(3) <u>Pays license fees as established by the board; and</u></p> <p>(4) <u>Effective July 1, 2015, submits verification of at least three (3) out of the last seven five (5) years of satisfactory full time teaching in Hawaii or another state;</u></p> <p>(d) A renewable standard license may also be granted to an applicant for five (5) years provided that the individual has met the following criteria:</p> <p>(1) <u>Possesses a valid unrevoked teaching license from another state issued for the first time on or after July 1, 2006;</u></p> <p>(2) <u>Obtained clearance in the</u></p>	
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	<p>(4) Obtained clearance in the professional fitness check;</p> <p>(5) Pays license fees as established by the board; <u>and</u></p> <p>(6) <u>Effective July 1, 2015, submits verification of at least three (3) out of the last five (5) years of satisfactory full time teaching in Hawaii or another state.</u></p>	<p>professional fitness check;</p> <p>(3) Pays license fees as established by the board; and</p> <p>(4) Effective July 1, 2015, submits verification of at least three (3) out of the last five (5) years of satisfactory full time teaching in Hawaii or another state;</p> <p>(e) A renewable standard license may also be granted to an applicant for five (5) years provided that the individual has met the following criteria:</p> <p>(1) Possesses a valid unrevoked teaching license from another state for at least three (3) out of the last five (5) years;</p> <p>(2) Passed all licensing tests required by the State which issued</p>	
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		<p>the valid license being used to apply under this section. If the other state did not test for subject area and basic skills competency the applicant must demonstrate basic skills and subject area competency in a manner prescribed by the Board;</p> <p>(3) Obtained clearance in the professional fitness check;</p> <p>(4) Pays license fees as established by the board; and</p> <p>(5) Effective July 1, 2015, submits verification of at least three (3) out of the last five (5) years of satisfactory full time teaching in Hawaii or another state.</p> <p>(f) A renewable</p>	
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		<p>standard license may also be granted to an applicant for five (5) years provided that the individual has met the following criteria:</p> <p>(1) Pass a board approved performance assessment normed for Hawaii in combination with any other requirements determined by a Hawaii preparation program to be recommended for licensure by the program;</p> <p>(2) Demonstrate basic skills competency through passage of licensure assessments, or possession of a baccalaureate degree awarded by an accredited institution of higher education;</p> <p>(3) Demonstrate subject matter competency through passage of</p>	
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		<p>licensure assessments, content major, coursework, advanced degree, national certificatio n or other HTSB approved demonstratio n of equivalent subject matter competency;</p> <p>(4) Obtained clearance in the professional fitness check;</p> <p>(5) Pays license fees as established by the board; and</p> <p>(6) Effective July 1, 2015, submits verification of at least three (3) out of the last five (5) years of satisfactory full time teaching in Hawaii or another state.</p>	
<p>§8-54-9.3</p> <p>Was 8-54-9 (a) (iii)</p>	<p>§8-54-9.3 <u>Advanced license.</u></p> <p>(a) A renewable advanced license may be granted <u>to an applicant for ten (10) years</u> provided that individual <u>has met the following criteria:</u></p>	<p>§8-54-9.3 <u>Advanced license.</u></p> <p>(a) A renewable advanced license may be granted to an applicant for</p>	<p>Changes the term of the Advanced License from 5 years to 10 years.</p> <p>Adds "specialist"</p>

	<p>(1) Possesses a valid unrevoked National Board Certification by the National Board for Professional Teaching Standards in the field for which a license is sought and holds a valid teaching license from <u>Hawai'i or a state that participates in the Interstate Agreement on Qualification of Personnel, chapter 315, Hawaii Revised Statutes;</u></p> <p>(2) Provides documentation of five (5) years within the last eight (8) years of satisfactory full-time teaching experience in <u>Hawai'i</u> under a <u>Hawai'i Standard License</u> or under <u>an equivalent license in other states the state in which it was issued from the issuing state;</u></p> <p>(3) Obtained clearance in the professional fitness check; and</p> <p>(4) Pays license fees as established by the board.</p> <p>(b) A renewable advanced license may also be granted to an applicant for <u>5 ten (10) years</u> provided that individual has met the following criteria:</p> <p>(1) Has been granted a master's, <u>specialist or doctoral degree or has passed a minimum of thirty hours of graduate coursework</u> from a regionally accredited institution <u>either in an area relevant to the field for which a license is sought; or which improves professional practice;</u></p> <p>(2) Holds a valid <u>standard teaching license from</u></p>	<p>ten (10) years provided that individual has met the following criteria:</p> <p>(1) Possesses a valid unrevoked National Board Certification by the National Board for Professional Teaching Standards in the field for which a license is sought and holds a valid teaching license from <u>Hawai'i or a state that participates in the Interstate Agreement on Qualification of Personnel, chapter 315, Hawaii Revised Statutes;</u></p> <p>(2) Provides documentation of five (5) years within the last eight (8) years of satisfactory full-time teaching experience in <u>Hawai'i</u> under a <u>Hawai'i Standard</u></p>	<p>degree as an advanced degree which may be used to obtain the Advanced License.</p> <p>Allows an individual to use an advanced degree that improves their professional practice.</p> <p>Clarifies that the Standard License required may be from Hawaii or another state.</p> <p>Clarifies that the 5 years of experience required for the Advanced License may be in Hawaii or another state.</p> <p>Allows 30 hours or coursework from a regionally accredited institution as an equivalent to an advanced degree.</p> <p>Adds a third route for the Advanced License when an individual is recognized as a Teacher Leader by their employer.</p>
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	<p><u>Hawai'i or from a state that participates in the Interstate Agreement on Qualification of Personnel;</u></p> <p>(3) <u>Provides documentation of five (5) years within the last eight (8) years of satisfactory full-time teaching experience in Hawai'i under a Hawai'i Standard License or under an equivalent license from the issuing state;</u></p> <p>(4) <u>Obtained clearance in the professional fitness check; and</u></p> <p>(5) <u>Pays license fees as established by the board.</u></p> <p>(c) A renewable advanced license may also be granted to an applicant for <u>5 ten (10) years provided that individual has met the following criteria:</u></p> <p>(1) <u>Is designated as a teacher leader by the Hawaii Department of Education, Hawaii Charter School or a member school of the Hawaii Association of Independent Schools;</u></p> <p>(2) <u>Holds a valid Hawaii standard teaching license or from a state that participates in the Interstate Agreement on Qualification of Personnel;</u></p> <p>(3) <u>Provides documentation of five (5) years within the last eight (8) years of satisfactory full-time teaching experience in Hawai'i under a Hawai'i Standard License;</u></p> <p>(4) <u>Obtained clearance in the professional fitness</u></p>	<p>License or under an equivalent license from the issuing state;</p> <p>(3) Obtained clearance in the professional fitness check; and</p> <p>(4) Pays license fees as established by the board.</p> <p>(b) A renewable advanced license may also be granted to an applicant for 5 ten (10) years provided that individual has met the following criteria:</p> <p>(1) Has been granted a master's, specialist or doctoral degree or has passed a minimum of thirty hours of graduate coursework from a regionally accredited institution either in an area relevant to the field for which a license is sought; or which improves professional</p>	
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(5) check; and
Pays license fees as
established by the
board.

- (2) Holds a valid standard teaching license from Hawai'i or from a state that participates in the Interstate Agreement on Qualification of Personnel;
- (3) Provides documentation of five (5) years within the last eight (8) years of satisfactory full-time teaching experience in Hawai'i under a Hawai'i Standard License or under an equivalent license from the issuing state;
- (4) Obtained clearance in the professional fitness check; and
- (5) Pays license fees as established by the board.

(c) A renewable advanced license may also be granted to an applicant for ten

		<p>(10) years provided that individual has met the following criteria:</p> <p>(1) Is designated as a teacher leader by the Hawaii Department of Education, Hawaii Charter School or a member school of the Hawaii Association of Independent Schools;</p> <p>(2) Holds a valid Hawaii standard teaching license or from a state that participates in the Interstate Agreement on Qualification of Personnel;</p> <p>(3) Provides documentation of five (5) years within the last eight (8) years of satisfactory full-time teaching experience in Hawai'i under a Hawai'i Standard License;</p>	
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		<p>(4) Obtained clearance in the professional fitness check; and</p> <p>(5) Pays license fees as established by the board.</p>	
<p>§8-54-9.4 Was 8-54-11</p>	<p>§8-54-9.4 <u>Emergency hires.</u> (a) An applicant who is unable to meet the requirements for a license may be employed by the department for a period not to exceed one (1) year at a time, renewable up to a maximum of four <u>three</u> (3) years, provided that [he or she] the person:</p> <p>(1) Possesses a baccalaureate degree from a regionally accredited institution <u>or the equivalent from a non-U.S. institution,</u> despite not having completed a student teaching program;</p> <p>(2) Submits an official transcript which bears the seal of from the issuing institution <u>to the department or charter school;</u></p> <p>(3) Is actively pursuing appropriate licensing, through the following: (A) Is enrolled in a course of study <u>professional teacher preparation program that satisfies section 10(a)(1) 8-54-9(a)-2 accepted for licensure by the board;</u> or (B) If a state approved teacher, librarian or counselor education program has been satisfactorily</p>	<p>§8-54-9.4 <u>Emergency hires.</u> (a) An applicant who is unable to meet the requirements for a license may be employed by the department for a period not to exceed one (1) year at a time, renewable up to a maximum of three (3) years, provided that the person:</p> <p>(1) Possesses a baccalaureate degree from a regionally accredited institution or the equivalent from a non-U.S. institution;</p> <p>(2) Submits an official transcript from the issuing institution to the department or charter school;</p> <p>(3) Is actively pursuing appropriate</p>	<p>Revised the Emergency Hire Permit term to conform with three years instead of four years due to change in statute §302A-804.</p> <p>Removes unnecessary language regarding the individual lacking a preparation program.</p> <p>Clarifies that the department and the charter schools are covered under this section.</p> <p>Clarifies that an emergency hire may verify meeting basic skills and content knowledge using any of the options allowed by HTSB.</p>

	<p>completed, takes the examinations <u>or meets other options for verifying basic skills and subject area competency accepted for licensure by the board referred to in §8-54-9(a)(2)?; and</u></p> <p>(C) Has obtained clearance in the employee suitability background check;</p> <p>(D) Applied for a limited duty special <u>an Emergency Hire permit as described in §8-54-11(d) in a manner prescribed by the board; and</u></p> <p>(E) Pays the fees <u>to practice the profession of teaching as specified in §8-54-XX.</u></p> <p>(b) [Renewal of emergency hire status:] The department <u>public school</u> may reemploy an emergency hire one <u>(1)</u> year at a time, up to a maximum of four <u>three (3)</u> years, provided that emergency hire:</p> <p>(1) Is actively pursuing licensing; and</p> <p>(2) Submits evidence of satisfactory process towards meeting the licensing standards <u>obtaining a standard license.</u></p>	<p>licensing, through the following:</p> <p>(A) Is enrolled in a professional teacher preparation program accepted for licensure by the board; or</p> <p>(B) If a state approved teacher, librarian or counselor education program has been satisfactorily completed, takes the examinations or meets other options for verifying basic skills and subject area competency accepted for licensure by the board; and</p> <p>(C) Has obtained clearance in the employee suitability background check;</p> <p>(D) Applied for an Emergency Hire permit in a manner prescribed by the board; and</p> <p>(E) Pays the fee to practice</p>	
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		<p>the profession of teaching as specified in §8-54- 2.4.</p> <p>(b) The public school may reemploy an emergency hire one (1) year at a time, up to a maximum of four three (3) years, provided that emergency hire:</p> <p>(1) Is actively pursuing licensing; and</p> <p>(2) Submits evidence of satisfactory process towards obtaining a standard license.</p>	
<p>§8-54-9.5 Was 8-54- 12</p>	<p>§8-54-9.5 <u>Adding a field to a license</u>. (a) If a licensee wants [his/her license to indicate] to add additional teaching fields [that he/she is authorized to teach, he/she] to their teaching license the person shall:</p> <p>(1) Complete a state-approved teacher education program that includes appropriate experiences in a P-12 setting in the new field; or [OR]</p> <p>(2) <u>Successfully complete thirty (30) credit hours of course work in a state-approved teacher education program or the equivalent of a subject</u></p>	<p>§8-54-9.5 <u>Adding a field to a license</u>. (a) If a licensee wants to add additional teaching fields to their teaching license the person shall:</p> <p>(1) Complete a state-approved teacher education program that includes appropriate experiences in a P-12 setting in the new field; or</p>	<p>Clarifies language.</p> <p>For Options 2 and 3, adds two options to the current experience requirement of one year's experience of at least half time:</p> <p>1. Adds the option of 3 years of experience in the new grade level (ex., K-6 or 6-8 or 6-12)</p> <p>2. Adds passing the pedagogy test in the new level (ex., PLT for K-6)</p> <p>Uses language of "subject area</p>

	<p>major for the new field <u>and submit one of the following:</u></p> <p>(A) [Demonstrate] The equivalent of one (1) year of satisfactory half time or more contracted P-12 teaching experience in the new field within the last five (5) years of application date; <u>or</u> [OR]</p> <p>(B) <u>Submit verification of three (3) or more years of contracted P-12 experience in the same license grade level span under a Hawai'i Standard License or its equivalent in another state; or</u> [OR]</p> <p>(C) <u>Submit passing scores on a pedagogy licensure examination approved by the board in the new grade level</u> ; <u>or</u></p> <p>(3) <u>Submit passing PRAXIS II subject area examination scores for the new teaching field. The passing score must be the same as that used for program completers of the state-approved teacher education program[.]and submit one of the following:</u></p> <p>(A) [Demonstrate] The equivalent of one (1) year of satisfactory half time or more contracted P-12 teaching experience in the new field within the last five (5) years of application date; <u>or</u> [OR]</p> <p>(B) <u>Submit verification of three (3) or more years of contracted P-12 experience in the same license grade level span under a Hawai'i Standard License or its</u></p>	<p>(2) Successfully complete thirty (30) credit hours of course work in a state-approved teacher education program or the equivalent of a subject major for the new field and submit one of the following:</p> <p>(A) The equivalent of one (1) year of satisfactory half time or more contracted P-12 teaching experience in the new field within the last five (5) years of application date; <u>or</u></p> <p>(B) Submit verification of three (3) or more years of contracted P-12 experience in the same license grade level span under a Hawai'i Standard License or its</p>	<p>examination" instead of vendor specific PRAXIS test.</p> <p>Removes NBPTS Certification from Option 5 because it is redundant to Option 4.</p>
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	<p><u>license grade level span under a Hawai'i Standard License or its equivalent in another state; or [OR]</u></p> <p>(C) <u>Submit passing scores on a pedagogy licensure examination approved by the board in the new grade level ; or [OR]</u></p> <p>(4) Possess a valid National Board Certification in the new field; or [OR]</p> <p>(5) Possess an Advanced License or National Board Certification in one field and <u>submit one of the following:</u></p> <p>(A) have either The equivalent of a content major <u>in the new field;</u> or</p> <p>(B) have passed <u>Passing score for the Praxis content subject area test in the new field.</u></p> <p>(b) Adding “school librarian“, <u>reading specialist, and literacy specialist</u> as a field shall be [limited to Option] <u>subject to the provisions of (a) (1) of this subsection.</u></p> <p>(c) Upon submittal of appropriate documentation of the method selected by the licensee and [a processing fee of not more than \$25.00, the amount to be set at a regular board meeting,] <u>receipt of the required fees, and subject to meeting all requirements,</u> the Board will add the new field to the license [and re-issue the license]. The [re-issued] <u>licensee's</u> license will include the new teaching field[, but will retain] <u>and be subject to</u> the same</p>	<p>equivalent in another state; or</p> <p>(C) Submit passing scores on a pedagogy licensure examination approved by the board in the new grade level ;or</p> <p>(3) Submit passing PRAXIS II subject area examination scores for the new teaching field. The passing score must be the same as that used for program completers of the state-approved teacher education program and submit one of the following:</p> <p>(A) The equivalent of one (1) year of satisfactory half time or more contracted P-12 teaching experience in the new</p>	
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expiration date [as the license being updated] for renewal of the current license.

- field within the last five (5) years of application date; or
- (B) Submit verification of three (3) or more years of contracted P-12 experience in the same license grade level span under a Hawai'i Standard License or its equivalent in another state; or
- (C) Submit passing scores on a pedagogy licensure examination approved by the board in the new grade level; or
- (4) Possess a valid National Board Certification in the new field; or
- (5) Possess an Advanced License in one field and submit one of the following:
- (A)

Th

		<p>e eq ui va le nt of a co nt en t ma jo r in th e ne w fi el d; or</p> <p>(B) Pa ss in g sc or e fo r th e su bj ec t ar ea te st in th e ne w fi el d.</p> <p>(b) Adding school librarian,</p>	
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		<p>reading specialist, and literacy specialist as a field shall be subject to the provisions of (a)(1) of this subsection.</p> <p>(c) Upon submittal of appropriate documentation of the method selected by the licensee and receipt of the required fees, and subject to meeting all requirements, the Board will add the new field to the license. The licensee's license will include the new teaching field and be subject to the same expiration date for renewal of the current license.</p>	
<p>§8-54-9.6 Was 8-54-13</p>	<p><u>§8-54-9.6 Limited duty special permit.</u> (a) [Issuance of Limited Duty Special Permit:] Effective June 30, 2000, on the island of Ni'ihau, the Board may grant a limited duty special permit to an instructor employed as of June 1, 2000, who meets the following criteria:</p> <ul style="list-style-type: none"> (1) Instructor shall provide evidence showing strong progress towards becoming properly licensed; (2) Instructor shall have satisfactory prior contracted 	<p><u>§8-54-9.6 Limited duty special permit.</u> (a) Up to but no later than August 31, 2015, the board may grant a limited duty special permit to an instructor employed by a public school where instruction is conducted in the Ni'ihau dialect. The instructor shall provide evidence showing progress</p>	<p>Simplified language regarding Ni'ihau Special Permit.</p>

	<p>department of education teaching experience which may be accepted in lieu of student teaching; and</p> <p>(3) Instructor shall by August 31, 2015, have completed a baccalaureate degree and passed the PRAXIS Pre-Professional Skills test submitted verification of meeting basic skills as required by the board.</p> <p>(b) The limited duty special permits issued above shall be effective provided that the instructor submits evidence showing strong progress towards meeting the licensing requirements as shown by satisfactory completion of required coursework, tests and other measures identified by the board. Up to but no later than August 31, 2015, a permit holder who meets the requirements for emergency hires may be eligible to pursue emergency hire status pursuant to 8-54-9(e).</p> <p>(a) <u>Up to but no later than August 31, 2015, the board may grant a limited duty special permit to an instructor employed by a public school where instruction is conducted in the Ni`ihau dialect. The instructor shall provide evidence showing progress towards becoming properly licensed.</u></p> <p>(b) Effective June 30, 2006, the board may also grant a <u>five-year</u> limited duty special permit to an individual recommended by the</p>	<p>towards becoming properly licensed.</p> <p>(b) Effective June 30, 2006, the board may also grant a five-year limited duty special permit to an individual recommended by the Superintendent to provide instruction in career and technical education provided that the individual submits the following documentation to the Board:</p> <p>(1) A valid industry license or certification, if one exists, in the field in which instruction will be offered; and</p> <p>(2) Three (3) years of satisfactory full-time experience in the field in which instruction will be offered. This provision shall remain in effect as long as:</p> <p>(A) The department's and charter schools' annual</p>	
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Superintendent to provide instruction in career and technical education provided that the individual submits the following documentation to the Board.

(1) A valid industry license or certification, if one exists, in the field in which instruction will be offered; and

(2) Three (3) years of satisfactory full-time experience in the field in which instruction will be offered. This provision shall remain in effect as long as:

(A) The department's and charter schools' annual report to the Board includes career and technical education as an official shortage area;

(B) The department suspends its requirement of a baccalaureate degree for career and technical education emergency hires; ~~and~~

(C) ~~the university system~~
Teacher preparation programs offers courses to prepare a permit-holder for classroom instruction and classroom responsibilities; ~~and funding is available to ensure that coursework, support and resources can be provided to permit-holders.~~

Limited duty special permits for career and technical education shall be renewable once annually for up to an additional five (5) years provided that the instructor ~~submits evidence showing strong progress toward~~

report to the Board includes career and technical education as an official shortage area;

(B) The department suspends its requirement of a baccalaureate degree for career and technical education emergency hires; and

(C) Teacher preparation programs offer courses to prepare a permit-holder for classroom instruction and classroom responsibilities.

Limited duty special permits for career and technical education shall be renewable once for an additional five (5) years provided that the instructor continues to meet the permit criteria.

(c) Effective July 1, 2009, the board may also grant a

~~satisfactory completion of required coursework, tests and other measures identified by the Board continues to meet the permit criteria.~~

(b) Effective July 1, 2009, the board may also grant a limited duty special permit to an individual recommended by the superintendent to provide instruction as an emergency hire in a declared shortage area where no licensed teacher is available and the individual is assigned to a school that is identified as hard to staff, provided that the individual meets the following criteria:

- (1) Obtained criminal history clearance[.] and
- (2) Pays the emergency hire fee to practice the profession of teaching as established by the Board.

Limited duty special permits issued to emergency hires may be renewed annually for no more than three years provided the individual submits required documentation to the department and the superintendent recommends that a special permit be renewed.

limited duty special permit to an individual recommended by the superintendent to provide instruction as an emergency hire in a declared shortage area where no licensed teacher is available and the individual is assigned to a school that is identified as hard to staff, provided that the individual meets the following criteria:

- (1) Obtained criminal history clearance and
- (2) Pays the emergency hire fee to practice the profession of teaching as established by the Board.

Limited duty special permits issued to emergency hires may be renewed annually for no more than three years provided the individual submits required documentation to the department and the superintendent recommends that a special permit be

		renewed.	
<p><u>§8-54-9.7</u> Was 8-54-9 (b)</p>	<p><u>§8-54-9.7 License and permit renewal criteria; term; forfeiture; restoration; termination.</u> (a) The board shall determine the criteria that shall be considered for renewal of a license or permit of which shall minimally include the performance standards contained in Appendix A, B, C, which are incorporated at the end of this chapter, link with the licensee's subject matter field and with teaching and pedagogy, [use] incorporate multiple criteria, be professionally credible, and provide public accountability.</p> <p>(b) By or before the expiration date of the current licensure or permit period each licensee or permittee shall be responsible for timely renewing the license or permit and satisfying the renewal requirements provided by law and this chapter.</p> <p>(c) At the time of license renewal, each licensee shall submit a completed renewal application and all applicable fees, and shall comply with any other renewal requirements. Renewals may be completed through an online renewal system or in hard copy sent by United States mail which shall be considered timely filed if the envelope bears a postmark of the required renewal date.</p> <p>(d) The board may renew a teaching license provided the licensee <u>meets</u> renewal requirements.</p> <p>(e) A licensee holding a</p>	<p><u>§8-54-9.7 License and permit renewal criteria; term; forfeiture; restoration; termination.</u> (a) The board shall determine the criteria that shall be considered for renewal of a license or permit of which shall minimally include the performance standards contained in Appendix A, B, C, which are incorporated at the end of this chapter, link with the licensee's subject matter field and with teaching and pedagogy, incorporate multiple criteria, be professionally credible, and provide public accountability.</p> <p>(b) By or before the expiration date of the current licensure or permit period each licensee or permittee shall be responsible for timely renewing the license or permit and satisfying the renewal requirements provided by law</p>	<p>Incorporates content formerly in definitions that did not belong there according to rules regarding drafting rules. Also adds substantive content not covered by current rules regarding forfeiture, restoration and termination.</p> <p>Deletes license renewal audit language, and that now appears in §8-54-9.8.</p>

standard ~~or advanced~~ license must renew his/her license every five (5) years.

(f) A licensee holding an advanced license must renew his/her license every ten (10) years. Licensees using NBPTS route to acquire the advanced license must also renew their National Board Certification to keep their advanced license. [(c) License Renewal Audit: Licensees whose five-year or ten-year licenses expire on July 1, 2010 or later shall meet the guidelines set by the board. Acceptance of the licensee's documentation shall result in a ~~five-year~~ license renewal, provided the licensee has paid the necessary fees specified by the board.]

(g) ~~The failure to timely renew a license or permit, the failure to pay all applicable renewal fees, the dishonoring of any check upon first deposit, or the failure to comply with any other renewal requirements provided by law or this chapter shall cause the automatic forfeiture of the license and permit, whether involuntarily or voluntarily and without any prior consultation or notice to the licensee. A person with a forfeited license or permit is prohibited from engaging in the teaching profession.~~

(h) ~~A forfeited license or permit shall be restored within two years after automatic forfeiture.~~ Proof of compliance with the renewal requirements and payment of all assessed renewal and late fees ~~will be~~

and this chapter.

(c) At the time of license renewal, each licensee shall submit a completed renewal application and all applicable fees, and shall comply with any other renewal requirements. Renewals may be completed through an online renewal system or in hard copy sent by United States mail which shall be considered timely filed if the envelope bears a postmark of the required renewal date.

(d) The board may renew a teaching license provided the licensee meets renewal requirements.

(e) A licensee holding a standard license must renew his/her license every five (5) years.

(f) A licensee holding an advanced license must renew his/her license every ten (10) years. Licensees using NBPTS route to

required for restoration. A license or permit that is timely restored shall constitute a valid teaching license.

(i) The failure to timely restore a forfeited license or permit shall cause the automatic termination of the license and permit, whether involuntarily or voluntarily and without any prior consultation or notice to the licensee. A person holding a terminated license or permit shall be required to apply for a new license or permit and meet current application requirements.

acquire the advanced license must also renew their National Board Certification to keep their advanced license.

(g) The failure to timely renew a license or permit, the failure to pay all applicable renewal fees, the dishonoring of any check upon first deposit, or the failure to comply with any other renewal requirements provided by law or this chapter shall cause the automatic forfeiture of the license and permit, whether involuntarily or voluntarily and without any prior consultation or notice to the licensee. A person with a forfeited license or permit is prohibited from engaging in the teaching profession.

(h) A forfeited license or permit shall be restored within two years after automatic forfeiture. Proof of compliance with the renewal

		<p>requirements and payment of all assessed renewal and late fees will be required for restoration. A license or permit that is timely restored shall constitute a valid teaching license.</p> <p>(i) The failure to timely restore a forfeited license or permit shall cause the automatic termination of the license and permit, whether involuntarily or voluntarily and without any prior consultation or notice to the licensee. A person holding a terminated license or permit shall be required to apply for a new license or permit and meet current application requirements.</p>	
<p>\$8-54-9.8 Was 8-54-9 (c)</p>	<p><u>\$8-54-9.8 License renewal audit.</u> (a) The board shall conduct random audits of licensees who have renewed their license or permit to ensure that renewals are in compliance with the criteria set by the board.</p> <p>(c) [HTSB] The board will collect a minimum of ten <u>(10)</u> audit samples per month, not to exceed one hundred eighty <u>(180)</u> annually, and conduct all reviews of renewal documentation, drawn randomly</p>	<p><u>\$8-54-9.8 License renewal audit.</u> (a) The board shall conduct random audits of licensees who have renewed their license or permit to ensure that renewals are in compliance with the criteria set by the board.</p>	<p>Clarifies the license renewal audit procedure.</p> <p>Moves the language about contested decision to Subsection 4 Practice and Procedure.</p>

from those renewals occurring from July 1, 2010 and thereafter.

(d) Licensees whose five-year or ten-year licenses expire on July 1, 2010 or later shall meet the **audit** guidelines set by the board. Acceptance of the licensee's **audit** documentation shall result in a license renewal, provided the licensee has paid the necessary fees specified by the board.

(d) [Licensees will] A **licensee selected for audit shall be required to** submit documentation for audit in a manner prescribed by the board. If a licensee fails to respond to a request for audit **the board may institute** disciplinary action [on the license may occur] **against the licensee for failure to demonstrate compliance with renewal requirements.**

(e) **The board may contract with an independent, external organization** [may be contracted by the board] to **conduct the random audits and** evaluate the renewals and their compliance with the criteria set forth by the board. [They may also

provide information on methods used to meet criteria ~~Teacher Performance Standards~~ and provide feedback on] **The board may also commission the organization to review and evaluate** the effectiveness of the renewal process.

[If a licensee wishes to contest the board's decision, he or she may pursue the matter in the circuit court of the State of Hawai'i in the circuit where the licensee resides, or in the First Circuit Court of the

(b) The board will collect a minimum of ten (10) audit samples per month, not to exceed one hundred eighty (180) annually, and conduct all reviews of renewal documentation, drawn randomly from those renewals occurring from July 1, 2010 and thereafter.

(c) Licensees whose five-year or ten-year licenses expire on July 1, 2010 or later shall meet the audit guidelines set by the board. Acceptance of the licensee's audit documentation shall result in a license renewal, provided the licensee has paid the necessary fees specified by the board.

(d) A licensee selected for audit shall be required to submit documentation for audit in a manner prescribed by the board. If a licensee fails to respond to a request for audit the board

	State of Hawai'i if the licensee resides outside of the State of Hawai'i.]	<p>may institute disciplinary action against the licensee for failure to demonstrate compliance with renewal requirements.</p> <p>(e) The board may contract with an independent, external organization to conduct the random audits and evaluate the renewals and their compliance with the criteria set forth by the board. The board may also commission the organization to review and evaluate the effectiveness of the renewal process.</p>	
§8-54-9.9	RESERVED		This title is reserved for future use.
§8-54-9.10	RESERVED		This title is reserved for future use.
§8-54-9.11	RESERVED		This title is reserved for future use.
§8-54-9.12	RESERVED		This title is reserved for future use.
<p>SUBCHAPTER 3</p> <p>DISCIPLINE</p> <p>Was 8-54-9 (d)-(e)</p> <p>§8-54-9.13</p>	<p>SUBCHAPTER 3</p> <p>DISCIPLINE</p> <p><u>§8-54-9.13 Disciplinary action; basis.</u> [(d) License Discipline: Revocation, suspension, denial, <u>or</u> non-renewal, non-extension of license or permit and</p>	<p>SUBCHAPTER 3</p> <p>DISCIPLINE</p> <p><u>§8-54-9.13 Disciplinary action; basis.</u> (a) The Code of Ethics contained in Appendix D</p>	Clarification, organization.

	<p>imposing conditions on a license:] (a) The Code of Ethics contained in Appendix D sets forth expected professional behaviors of teachers and forms the basis for disciplinary action taken by the board against a licensee. The provisions of section 8-54-9.14 also constitute behaviors for which disciplinary action may be taken by the board against a licensee.</p> <p>(b) The board may impose disciplinary action upon a licensee's license after a hearing conducted in accordance with chapter 91.</p>	<p>sets forth expected professional behaviors of teachers and forms the basis for disciplinary action taken by the board against a licensee. The provisions of section 8-54-9.14 also constitute behaviors for which disciplinary action may be taken by the board against a licensee.</p> <p>(b) The board may impose disciplinary action upon a licensee's license after a hearing conducted in accordance with chapter 91.</p>	
§8-54-9.14	<p><u>§8-54-9.14 Grounds for refusal to renew, reinstate, or restore, and for revocation, suspension, denial, or condition of a license.</u> In addition to any other acts or conditions provided by law, the board may refuse to renew, reinstate or restore, or may deny, revoke, suspend, or condition in any manner, any license for any one or more of the following acts or conditions on the part of the licensee or the applicant thereof:</p> <ol style="list-style-type: none"> (1) A felony conviction; (2) Misdemeanor convictions as defined in this 	<p>§8-54-9.14 Grounds for refusal to renew, reinstate, or restore, and for revocation, suspension, denial, or condition of a license or permit. In addition to any other acts or conditions provided by law, the board may refuse to renew, reinstate or restore, or may deny, revoke, suspend, or condition in any manner, any</p>	<p>The Board may revoke a permit as well as a license, so "permit" and "permittee" should be inserted in this section.</p> <p>Deleted content t in (1) and (2) is covered in new §8-54-9.15 (1) - (2)</p> <p>Deleted content in (3) and (4) is covered in new §8-54-9.14 (11) - (16)</p>

	<p>chapter;</p> <p>(3) Conviction of crimes against children and sexual offenses;</p> <p>(4) Having sexual contact with a minor or student;</p> <p>(5) <u>Possessing, producing,</u> possessing at one's work site or distributing pornographic <u>illegal images or images of minors or students engaged in sexual conduct;</u></p> <p>(6) Committing a crime on school premises or while fulfilling the duties of a teacher;</p> <p>(7) <u>Practicing the profession of teaching while</u> possessing, using, distributing or being under the influence of illegal drugs;</p> <p>(8) Exhibiting conduct or teaching practice <u>Practicing the profession of teaching in a manner contrary to the recognized standards of ethics adopted by the Hawai'i Teacher Standards Board in its Code of Ethics;</u></p> <p>(9) <u>Practicing the profession of teaching with a fraudulent teaching license;</u></p> <p>(10) <u>Making and/or submitting false, inaccurate or misleading statements and/or documents in</u></p>	<p>license for any one or more of the following acts or conditions on the part of the licensee, permittee or the applicant thereof:</p> <p>(1) A felony conviction;</p> <p>(2) Misdemeanor convictions as defined in this chapter;</p> <p>(3) Conviction of crimes against children and sexual offenses;</p> <p>(4) Having sexual contact with a minor or student;</p> <p>(5) Possessing, producing, or distributing illegal images or images of minors or students;</p> <p>(6) Committing a crime on school premises or while fulfilling the duties of a teacher;</p> <p>(7) Practicing the profession of teaching while</p>	
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	<p>applying for a license, <u>permit</u>, <u>license or permit</u> update, extension or renewal;</p> <p>(11) Having a license or permit denied, revoked, not renewed or suspended by another jurisdiction;</p> <p>[(11) A licensee may be automatically suspended placed in forfeited status for non-payment of license fees. Not paying license fees will result in an automatic suspension and shall be reported to NASCTEC.]</p> <p>(12) Violation of any condition or limitation on a licensee's license;</p> <p>(13) Misrepresents or falsifies information on his/her application;</p> <p>(14) Provides falsified or fraudulent documents with an application;</p> <p>(15) Does not meet the board's licensing or renewal requirements</p>	<p>distributing or being under the influence of illegal drugs;</p> <p>(8) Practicing the profession of teaching in a manner contrary to the recognized standards of ethics adopted by the Hawai'i Teacher Standards Board in its Code of Ethics;</p> <p>(9) Practicing the profession of teaching with a fraudulent teaching license;</p> <p>(10) Making and/or submitting false, inaccurate or misleading statements and/or documents in applying for a license, permit, license or permit update, or renewal;</p> <p>(11) Having a license or permit denied, revoked, not renewed or</p>	
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	<p>nts;</p> <p>(16) Does not meet the professional fitness portion of the application; or</p> <p>(17) Does not pay the required license or permit fees.</p> <p>[(1) Revocation: Revocation of a license or permit is permanent. <u>Conviction of crimes</u> against children and sexual offenses may result in the immediate lifetime revocation of a license.]</p> <p>[(2) Suspension: The duration of a licensee's or permit holder's suspension shall be set by the board. A license or permit may be reinstated when the licensee or permit holder demonstrates he/she has fulfilled the requirements for reinstatement. The burden of proof shall be on the licensee or permit holder.]</p> <p>[(3) Denial: A license or permit may be denied if the applicant:</p> <p>(i) misrepresents or falsifies information on his/her application;</p> <p>(ii) provides falsified or fraudulent documents with an application;</p> <p>(iii) does not meet <u>the board's license renewal or extension requirements</u>;</p> <p>(iv) does not meet the</p>	<p>suspended by another jurisdiction ;</p> <p>(12) Violation of any condition or limitation on a licensee's license;</p> <p>(13) Misrepresent s or falsifies information on their application;</p> <p>(14) Provides falsified or fraudulent documents with an application;</p> <p>(15) Does not meet the board's licensing or renewal requirements ;</p> <p>(16) Does not meet the professional fitness portion of the application; or</p> <p>(17) Does not pay the required license or permit fees.</p>	
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	<p>professional fitness portion of the application; or</p> <p>(v) does not pay the required license or permit fees.]</p> <p>[(4) Failure to Renew or Extend: A license or permit may not be renewed or extended if the applicant:</p> <p>(i) misrepresents or falsifies information on)his/her application;</p> <p>(ii) provides falsified or fraudulent documents with an application;</p> <p>(iii) does not meet <u>the board's license renewal</u> or extension requirements;</p> <p>(iv) does not meet the professional fitness portion of the application; or</p> <p>(v) does not pay the required license or permit fees.]</p>		
§8-54-9.15	<p><u>§8-54-9.15 Forms of disciplinary sanctions,</u> (a) Notwithstanding any other others powers of the board to discipline a license the board may impose the following:</p> <p>(1) The revocation of a license or permit [is permanent.] the duration of which shall be set by the board but may not be less than five years; provided that <u>conviction</u> of crimes against children and sexual offenses may result in the [immediate] lifetime revocation of a</p>	<p>§8-54-9.15 Forms of disciplinary sanctions, (a) Notwithstanding any other others powers of the board to discipline a license the board may impose the following:</p> <p>(1) The revocation of a license or permit the duration of which</p>	<p>Same as in the definition section, the length of a revocation must conform with statute requirements under §92-17(c) (2, which states it must be for "no less than five years", and for a suspension with r §92-17(c) (1), which states that it cannot exceed five years.</p>

	<p>license;</p> <p>(2) The suspension of a license or permit the duration of [a licensee's or permit holder's suspension] which shall be set by the board but may not exceed five years;</p> <p>(3) Place conditions on the licensee or permit holder for a specified amount of time, which may include, but are not limited to, activities directed toward improving a teacher's performance in the area of the violation;</p> <p style="padding-left: 40px;">[During this period the burden of proof is on the licensee or permit holder to demonstrate compliance with the conditions. Before the end of the specified period, the HTSB may extend or terminate the conditions imposed or take further disciplinary actions;]</p> <p>(4) Censure or [warning: The board may issue a written censure or warning] warn the licensee if it the board determines that a violation has occurred that does not necessitate a more severe action to be taken on a licensee or permit holder. A copy of the censure or warning will be placed in the board's file of the licensee or permit holder. A copy will be sent to the licensee or permit holder and he/she will have <u>thirty</u> (30) calendar days to file a written response. The response will be placed in the board's file of the</p>	<p>shall be set by the board but may not be less than five years; provided that conviction of crimes against children and sexual offenses may result in the lifetime revocation of a license;</p> <p>(2) The suspension of a license or permit the duration of which shall be set by the board but may not exceed five years;</p> <p>(3) Place conditions on the licensee or permit holder for a specified amount of time, which may include, but are not limited to, activities directed toward improving a teacher's performance in the area of the violation;</p> <p>(4) Censure or warn the licensee if the board</p>	
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	<p>licensee or permit holder; and (5) Monetary penalties.</p>	<p>determines that a violation has occurred that does not necessitate a more severe action to be taken on a licensee or permit holder. A copy of the censure or warning will be placed in the board's file of the licensee or permit holder. A copy will be sent to the licensee or permit holder and he/she will have thirty (30) calendar days to file a written response. The response will be placed in the board's file of the licensee or permit holder; and (5) Monetary penalties.</p>	
§8-54-9.16	<p><u>§8-54-9.16 Reporting of violations.</u> [(e) <u>License Discipline Reporting.</u>] (a) Reports of <u>[any of the above violations or of known]</u> violations(s) to the Code of Ethics or for conduct listed</p>	<p><u>§8-54-9.16 Reporting of violations.</u> (a) Reports of violations(s) to the Code of Ethics or for</p>	<p>This language requires public school administrators to report violations and allow, without penalty,</p>

in §8-54-9.14 shall be filed in writing with the board on a signed form and in a manner provided by the board.

(b) The superintendent, ~~or charter school administrator, headmaster, president or his/her~~ their designee in any Hawai'i public school, district or system is authorized to shall report violations ~~of the Code of Ethics~~. A private or independent school administrator is authorized to report violations. The report shall contain the name, address, and social security number of ~~the following individuals~~ any licensed educator, permit holder or emergency hire who:

- (1) ~~Any licensed educator, permit holder or emergency hire who is~~ Is terminated or not re-hired for cause;
- (2) ~~Any licensed educator, permit holder or emergency hire who resigns~~ Resigns under threat of termination or non-employment for cause;
- (3) ~~Any licensed educator, permit holder or emergency hire who is~~ Is indicted for convicted of a felony or misdemeanor as defined in this chapter.

(c) [Duty to Report:] Licensed educators, permit holders and emergency hires who may have engaged in action that could result in denial, non-renewal, revocation or suspension of a license shall be required to report to the Board, in a manner provided for by the

conduct listed in §8-54-9.14 shall be filed in writing with the board on a signed form and in a manner provided by the board.

(b) The superintendent or charter school administrator or their designee in any Hawai'i public school shall report violations. A private or independent school administrator is authorized to report violations. The report shall contain the name, address, and social security number of any licensed educator, permit holder or emergency hire who:

- (1) Is terminated or not re-hired for cause;
- (2) Resigns under threat of termination or non-employment for cause;
- (3) Is

private/independent school administrators to do so.

Board, within 30 calendar days of the event, the following:

- (1) Been terminated or not rehired for cause;
- (2) Resigned under threat of termination or non-employment for cause; and
- (3) Been ~~indicted for~~ convicted of a felony or misdemeanor as defined in this chapter.

(d) Signators of the National Association of State Directors of Teacher Education and Certification (NASDTEC) Interstate Contract shall report actions taken by them to deny a license to an individual or to revoke, suspend or refuse to renew licenses of licensees in their state within 30 calendar days from when they are made aware that the individual is applying for a license, renewal of a license or permit.

(e) The board shall report actions taken to deny, suspend or revoke a license or permit to the superintendent, headmaster or president of any Hawai'i school, district, or system and to the NASCTEC Clearinghouse.

convicted of a felony or misdemeanor as defined in this chapter.

(c) Licensed educators, permit holders and emergency hires who may have engaged in action that could result in denial, non-renewal, revocation or suspension of a license shall be required to report to the Board, in a manner provided for by the Board, within 30 calendar days of the event, the following:

- (1) Been terminated or not rehired for cause;
- (2) Resigned under threat of termination or non-employment for cause; and
- (3) Been convicted of a felony or misdemeanor as defined in this chapter.

		<p>(d) Signators of the National Association of State Directors of Teacher Education and Certification (NASDTEC) Interstate Contract shall report actions taken by them to deny a license to an individual or to revoke, suspend or refuse to renew licenses of licensees in their state within 30 calendar days from when they are made aware that the individual is applying for a license, renewal of a license or permit.</p> <p>(e) The board shall report actions taken to deny, suspend or revoke a license or permit to the superintendent, headmaster or president of any Hawai'i school, district, or system and to the NASCTEC Clearinghouse.</p>	
<p>§8-54-9.17 Was 8-54-9 (f)</p>	<p>§8-54-9.17 Board action on reports of violations. (a) Initiating action. The board may initiate action based on a written, signed report submitted by one or more of the following:</p>	<p><u>§8-54-9.17 Board action on reports of violations.</u> (a) The board may initiate action based on a written, signed report submitted</p>	Clarification.

(1) Any school, district, or system

administrator or educator;

(2) Self-report received from any licensed educator, permit holder or emergency hire;

(3) Report of license or permit revocation, suspension, refusal to renew or denial by another state; or

(4) Report submitted by ~~an individual or~~ individuals who ~~is~~ witness ~~(are witnesses)~~ to a violation of the Code of Ethics.

(b) ~~Investigations.~~ The board may initiate an investigation whereby minimally the following actions shall be taken:

(1) The executive director will verify the complaint;

(2) The applicant, permit holder or licensee will be notified in writing posted by restricted certified and regular mail of the complaint. A copy of the notification will be placed in the board's file of the applicant, permit holder or licensee;

(3) The applicant, permit holder or licensee will have thirty (30) calendar days to file a written response, which will be placed in the board's file of

by one or more of the following:

(1) Any school, district, or system

administrator or educator;

(2) Self-report received from any licensed educator, permit holder or emergency hire;

(3) Report of license or permit revocation, suspension, refusal to renew or denial by another state; or
(4) Report submitted by individuals who witness a violation.

(b) The board may initiate an investigation whereby minimally the following actions shall be taken:

(1) The executive director will verify the complaint;

(2) The applicant, permit holder or licensee will be notified in writing posted by restricted certified and regular

	<p>the applicant, permit holder or licensee; and</p> <p>(4) The board will <u>may</u> contract with another state agency or private agency to investigate the complaint and determine if a hearing is warranted.</p> <p>(c) Following an investigation the board may dismiss the complaint if the alleged violations are not substantiated and the complaint form will be removed from the applicant or licensee's file. If the complaint is substantiated the board may request the assistance and services of the Office of the Attorney General or contract with another state agency or a private agency for attorney(s) to prepare and represent the board at a hearing. If a hearing is not warranted, the applicant or licensee will be notified and a copy of the notification will be placed in the board's file of the applicant or licensee.</p> <p>[If the complaint is found to be false, the complaint form will be removed from the applicant or licensee's file.]</p> <p>(d) The board may impose a fee against an applicant or licensee as reimbursement for all or part of the costs of investigations, hearings, [contested cases] or appeals that result in disciplinary action against the licensee.</p>	<p>mail of the complaint. A copy of the notification will be placed in the board's file of the applicant, permit holder or licensee;</p> <p>(3) The applicant, permit holder or licensee will have thirty (30) calendar days to file a written response, which will be placed in the board's file of the applicant, permit holder or licensee; and</p> <p>(4) The board may contract with another state agency or private agency to investigate the complaint and determine if a hearing is warranted.</p> <p>(c) Following an investigation the board may dismiss the complaint if the alleged violations are not substantiated</p>	
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		<p>and the complaint form will be removed from the applicant or licensee's file. If the complaint is substantiated the board may request the assistance and services of the Office of the Attorney General or contract with another state agency or a private agency for attorney(s) to prepare and represent the board at a hearing. If a hearing is not warranted, the applicant or licensee will be notified and a copy of the notification will be placed in the board's file of the applicant or licensee.</p> <p>(d) The board may impose a fee against an applicant or licensee as reimbursement for all or part of the costs of investigations, hearings, or appeals that result in disciplinary action against the licensee.</p>	
\$8-54-9.18	[RESERVED]		This title is reserved for future use.
\$8-54-	[RESERVED]		This title is

9.19			reserved for future use.
§8-54-9.20	[RESERVED]		This title is reserved for future use.
SUBCHAPTER 4 PRACTICE AND PROCEDURES		SUBCHAPTER 4 PRACTICE AND PROCEDURES	
§8-54-10	REPEALED	Covered in subject matter in new 8-54-10.1- 10.10	Subject of old 8-54-10 is covered in new sections 8-54-10.1 through 8-54-10.10. The new language makes this section of the rules consistent with other agencies and HRS sections 91-9 through 91-15 including contested cases; notice; hearing; records; notification of hearing; service; rules of evidence; official notice; examination of evidence by agency; decisions and orders; consultation by officials of agency; administrative review; judicial review and appeals.
§8-54-10.1		<u>§8-54-10.1 Applicability.</u> The general procedures specified in this subchapter shall, in part, effectuate and carry out the purposes of chapter 91, HRS and shall apply to all contested cases that may	Patterned after AG's Office, General Organization, Practice, and Procedure HAR §§5-1-1 and 5-1-31

		come before the board relating to the denial of an application for a license or permit or to discipline a licensee or permittee.	
§8-54-10.2		<u>§8-54-10.2 Notification of denial of application or proposed disciplinary action against a licensee or permittee.</u> In the event an application for a license or permit is denied, or the board intends to discipline a licensee or permittee, written notification shall be provided to the denied applicant, or to the licensee of the intended action. The notification shall include a concise statement of the reasons therefore and a statement informing the applicant or licensee or permittee of the right to a hearing if the applicant or licensee or permittee so desires. The notification shall further	Patterned after AG's Office, Notaries Public HAR §5-11-52

		provide the time frame that a demand for hearing shall be filed.	
§8-54-10.3		<p><u>§8-54-10.3 Demand for a hearing.</u></p> <p>Any person whose application is denied, or a licensee or permittee who is to be disciplined by the board, shall be entitled to a hearing if a demand for hearing is filed with the board's office within sixty days of the date of the letter informing the applicant of the denial or the licensee or permittee of the intent to discipline, respectively. The demand for hearing shall contain concise statements of:</p> <p>(1) the legal authority under which the hearing is to be held;</p> <p>(2) the denial or matter that is being contested by the petitioner; (3) the basic facts and issues raised; and (4) the relief to which the petitioner deems itself entitled.</p>	Patterned after AG's Office, Notaries Public HAR §5-11-53 and General Organization, Practice, and Procedure HAR §5-1-33
§8-54-10.4		<p><u>§8-54-10.4 Action by the</u></p>	Patterned after AG's Office,

		<p><u>board;</u> <u>notification of</u> <u>hearing.</u> If a demand for hearing is filed within sixty days of the date of the letter of denial or intent to discipline, the board, or a panel of the board, or a hearing officer approved by the board shall be designated the hearings officer who shall be the presiding officer, conduct the hearing, and make recommendations in writing to the board.</p> <p>Thereafter the hearings officer shall commence the hearing process and proceed to schedule a hearing and provide all parties written notice of the hearing by registered or certified mail with return receipt requested at least fifteen days before the hearing.</p>	<p>Notaries Public HAR §5-11-54, DCCA's Administrative Practice and Procedure HAR §16-201-26.5, DOE's Licensing of private trade, vocational or technical schools HAR §8-101-12, and HRS 91-9.5</p>
§8-54-10.5		<p><u>§8-54-10.5</u> <u>Notice of</u> <u>hearing.</u> The hearing notice shall include:</p> <p>(1) The date,</p>	<p>Patterned after DCCA's Administrative Practice and Procedure HAR §16-201-26.5 and HRS §91-9</p>

		<p>time, place, and nature of the hearing ;</p> <p>(2) The legal authori ty under which the hearing is held;</p> <p>(3) The particu lar section s of the statute s and rules involve d; and</p> <p>(4) A short and concise stateme nt of the issues involve d and the facts giving rise to the petitio n.</p> <p>(5) The notice shall further apprise each party of their right to retain legal counsel if so desired.</p>	
§8-54-10.6		<p>§8-54-10.6 <u>Hearing.</u> (a) All</p>	For subsection(a) patterned after

		<p>hearings shall be conducted pursuant to chapter 91, HRS and this subchapter. All hearings shall be held before a hearings officer duly designated by the board. All parties shall be afforded full opportunity to present evidence and argument on all issues involved. The hearing shall be at the time and place set forth in the notice of hearing, but at that time and place may be continued from day to day or adjourned thereof at the hearing.</p> <p>(b) The presiding hearings officer shall have the power to give notice of the hearing, arrange for the administration of oaths and affirmations, subpoena and examine witnesses, issue subpoenas, certify to official acts, rule on offers of proof, receive relevant evidence and exclude evidence which is irrelevant, immaterial, repetitious,</p>	<p>DCCA's Administrative Practice and Procedure HAR §16-201-36; for subsection (b) patterned after DCCA's Administrative Practice and Procedure HAR §16-201-17 and AG's Office, General Organization, Practice, and Procedure HAR §5-1-34; for subsection (c) patterned after DCCA's Administrative Practice and Procedure HAR §16-201-32.5; for subsection (d) patterned after the AG's Office, General Organization, Practice, and Procedure HAR §5-1-34; for subsection (e) as §91-9(e) HRS enumerates all record requirements, a simple cite to it is used; for subsection (f) patterned after the AG's Office, General Organization, Practice, and Procedure HAR §5-1-34</p>
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		<p>cumulative, or merely scandalous and accordingly may restrict lines of questioning, regulate the course and conduct of the hearing, regulate the manner of any examination so as to prevent the needless and unreasonable harassment, intimidation, or embarrassment of any witness or party at the hearing, remove disruptive individuals including any party, legal counsel, witness, or observer, hold conferences including prehearing conferences, before or during the hearing, for the settlement or simplification of issues, rule on motions and to dispose of procedural matters, dispose of any other matters that normally and properly arises in the course of the proceedings, and take any action authorized by this subchapter or chapter 91, HRS, and perform such other duties necessary for the</p>	
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proper conduct of hearings.

(c) In a hearing where the issue for determination is whether the board properly denied an application for a license or permit, the record shall consist of only the information presented to the board's office for consideration in reviewing the application. No other information regarding qualification for approval of the license or permit shall be admitted unless agreed upon by all parties.

(d) The hearings officer shall submit in writing any report or recommended decision together with the findings of facts and conclusions of law and a recommended order to the board for its consideration and final disposition.

(e) The record of the hearing shall be in conformance with section 91-9, HRS.

(f) The hearings officer may engage the services of a

		stenographer, or someone similarly skilled, to take a verbatim record of the evidence presented at the hearing. If a verbatim record is taken, any party may request a certified transcript of the proceedings. The party making the request shall be responsible for the fees for the transcript.	
§8-54-10.7		<u>§8-54-10.7 Recommended decision.</u> (a) As expeditiously as possible after the close of the hearing, the hearings officer shall file with the board a recommended decision together with separate findings of fact, conclusions of law, and a recommended order. The decision, findings of fact, conclusions of law, and any order recommended by the hearings officer shall be based upon the whole record and supported by the reliable probative and substantial evidence, including facts of which the hearings officer	Patterned after DCCA's Administrative Practice and Procedure HAR §16-201-42 for subsection (a), §16-201-43 for subsection (b), §16-201-44 for subsection (c), §16-201-45 for subsection (d), and §16-201-45.5 for subsection (e)

properly took
judicial notice.

(b) The
hearings officer
shall cause a
copy of the
recommended
decision,
including therein
findings of fact,
conclusions of
law, and any
recommended
order, to be
served upon each
party by
registered or
certified mail,
return receipt
requested.
Service of the
recommended
decision shall be
deemed complete
upon its mailing
to the party's
last known
address.

(c) Any
party adversely
affected by the
hearings
officer's
recommended
decision within
fifteen days
after receipt of
a copy of the
decision, may
file with the
hearings officer
written
exceptions to the
whole or any part
of the
recommended
decision and
request review by
the board. Each
written exception
shall specify the
portions of the
record and
authorities

		<p>relied upon to sustain each point. A copy of the written exceptions shall be served by the party so excepting upon each party to the proceeding. Unless the time has been extended, no written exceptions shall be filed or accepted for filing after the time specified.</p> <p>(d) Any party may file with the hearings officer and serve upon all other parties a statement in support of the recommended decision within fifteen days after receipt of a copy of the written exceptions filed pursuant to subsection (c).</p> <p>(e) The hearings officer shall transmit to the board the entire record together with the recommended decision, any timely filed exceptions, and any timely filed statement in support.</p>	
\$8-54-10.8		<p><u>\$8-54-10.8</u> <u>Argument of</u> <u>written</u> <u>exceptions; no</u></p>	<p>Patterned after DCCA's Administrative Practice and</p>

		<p><u>written exceptions; issuance of final decision and order.</u> (a)</p> <p>Whenever written exceptions have been timely filed and a party has requested the opportunity to present oral argument, all parties to the proceedings shall be afforded the opportunity to present oral argument to the board concerning the recommended decision. The board shall personally consider the whole record or portion of the record as may have been cited by the parties either in support of or in opposition to the recommended decision. All parties shall be served with notice of the time and place of argument at least five days prior to the time for argument. Within a reasonable time after argument has been heard, the board shall issue a written final decision and order.</p> <p>(b) When no written exceptions have been filed, the</p>	<p>Procedure HAR §16-201-46 for subsection (a) and §16-201-47 for subsection (b)</p>
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		board, within a reasonable time after the hearings officer's recommended decision has been filed, shall issue a written final decision and order.	
§8-54-10.9		<p><u>§8-54-10.9 Final decision and order.</u> (a) The board's final decision and order shall either adopt, modify, or reverse, in whole or in part, the hearings officer's recommended decision. The board shall state with specificity in the final decision the reasons for any modification or reversal, in whole or in part, of the hearings officer's recommended decision.</p> <p>(b) The board shall cause a copy of the final decision and order to be served upon each party by personal service or by registered or certified mail, return receipt requested. Service of the final decision and order shall be deemed</p>	Patterned after DCCA's Administrative Practice and Procedure HAR §16-201-46 and §16-201-47 for subsection (a), §16-201-22 for subsection (b)

		complete upon its mailing to the party's last known address.	
§8-54-10.10		§8-54-10.10 <u>Judicial review of contested cases.</u> Any party aggrieved by a final decision of the board is entitled to judicial review in conformance with section 91-14, HRS. Any party requesting judicial review shall serve a copy of the request upon the board and all other parties to the proceeding in accordance with the Hawaii Rules of Civil Procedure.	Patterned after DCCA's Administrative Practice and Procedure HAR §16-201-24
§8-54-11	REPEALED	Covered in new §8-54-9.4	
§8-54-12	REPEALED	Covered in new §8-54-9.5	
§8-54-13	REPEALED	Covered in new §8-54-9.6	
§8-54-14	REPEALED	Covered in new §8-54-2.4	
§8-54-15	REPEALED	Covered in new §8-54-2.3	
§8-54-16	SUBCHAPTER 5 SUSPENSION OF THE BOARD RULES §8-54-16 Suspension of the rules. (a) If the board determines that extenuating circumstances exist to justify suspending its rules, the board may, at a scheduled board meeting, vote to temporarily suspend any of its administrative rules, or any portion thereof, by a	SUBCHAPTER 5 SUSPENSION OF THE BOARD RULES §8-54-16 Suspension of the rules. (a) If the board determines that extenuating circumstances exist to justify suspending its	Clarification and organization.

majority vote. In doing so the board shall also determine the length of time for which the suspension shall remain in effect. The following are extenuating circumstances that may require the suspension of rules:

- (1) An emergency condition, including natural disaster, exists that prevents compliance with the rules;
- (2) Extenuating circumstances or compelling reasons exist that are caused by medical need, life-threatening condition, or personal tragedy;
- (3) Active military duty impinges on compliance with the board's rules; or
- (4) An unforeseen event beyond the control of the board or teacher prevents or delays the ability to comply with the rules.

(b) The following describes the procedure for suspending rules:

- (1) Any person or agency directly impacted by the rules may submit a signed written request to the board, citing the rule or portion thereof to be suspended, with at least thirty (30) calendar days' notice prior to the next regularly scheduled board meeting unless extenuating circumstances prevent the individual or agency from meeting this timeframe. The request

rules, the board may, at a scheduled board meeting, vote to temporarily suspend any of its administrative rules, or any portion thereof, by a majority vote. In doing so the board shall also determine the length of time for which the suspension shall remain in effect. The following are extenuating circumstances that may require the suspension of rules:

- (1) An emergency condition, including natural disaster, exists that prevents compliance with the rules;
- (2) Extenuating circumstance s or compelling reasons exist that are caused by medical need, life-threatening condition, or personal tragedy;
- (3) Active military duty impinges on compliance

	<p>shall also contain the name of the individual(s) or agency impacted by the rule and the reason and rational for the request.</p> <p>(2) A majority vote of board members is required to suspend the rules or any portion thereof.</p> <p>(3) Robert's Rules of Order pertaining to suspension of the rules will be followed.</p> <p>(4) In considering the motion to suspend, the board may also determine if another resolution to the request exists and act accordingly.</p> <p>(5) If a motion to suspend the rules or any portion thereof fails, a future request may be heard again if new, relevant information is obtained relating to the request. [Eff OCT 27 2011; compiled OCT 27 2011] (Auth: HRS §302A-803) (Imp HRS §§302A-801-808)</p>	<p>with the board's rules; or</p> <p>(4) An unforeseen event beyond the control of the board or teacher prevents or delays the ability to comply with the rules.</p> <p>(b) The following describes the procedure for suspending rules:</p> <p>(1) Any person or agency directly impacted by the rules may submit a signed written request to the board, citing the rule or portion thereof to be suspended, with at least thirty (30) calendar days' notice prior to the next regularly scheduled board meeting unless extenuating circumstance s prevent the individual</p>	
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		<p>or agency from meeting this timeframe. The request shall also contain the name of the individual(s) or agency impacted by the rule and the reason and rational for the request.</p> <p>(2) A majority vote of board members is required to suspend the rules or any portion thereof.</p> <p>(3) Robert's Rules of Order pertaining to suspension of the rules will be followed.</p> <p>(4) In considering the motion to suspend, the board may also determine if another resolution to the request exists and act accordingly.</p> <p>(5) If a motion to suspend the rules or any portion thereof fails, a</p>	
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		future request may be heard again if new, relevant information is obtained relating to the request. [Eff OCT 27 2011; compiled OCT 27 2011] (Auth: HRS §302A-803) (Imp HRS §§302A-801-808)	
§8-54-17	REPEALED	Covered in new 8-54-2.2	
§8-54-18		<p>SUBCHAPTER 6</p> <p><u>EDUCATOR PREPARATION PROGRAMS</u></p> <p><u>§8-54-18</u></p> <p><u>Purpose.</u> <u>Educator preparation programs represent public and private colleges and universities, agencies, associations, organizations, centers, and commercial companies dedicated to the preparation of teachers and other school personnel. Preparation programs are governed by the preparation standards and review procedures</u></p>	

		adopted by the <u>board.</u>	
§8-54-19	<p><u>§8-54-19 Approval of educator preparation programs.</u> When applying for approval of an educator preparation program the following requirements shall be met:</p> <p>(1) The unit must <u>provide evidence that their candidates meet the [Hawaii Teacher Performance Standards, Hawaii School Counselor Performance Standards and/or Hawaii School Librarian Performance Standards]</u> performance standards as applicable, that are contained in Appendix A, B, C, and incorporated at the end of this chapter;</p> <p>(2) The unit must <u>provide evidence that their candidates exhibit professional and ethical dispositions necessary to help all students learn as outlined in the board's Code of Ethics;</u></p> <p>(3) The unit must <u>provide evidence that their candidates are prepared to incorporate the following areas into their practice:</u></p>	<p><u>§8-54-19 Approval of educator preparation programs.</u> When applying for approval of an educator preparation program the following requirements shall be met:</p> <p>(1) The unit must provide evidence that their candidates meet the performance standards as applicable, that are contained in Appendix A, B, C, and incorporated at the end of this chapter;</p> <p>(2) The unit must provide evidence that their candidates exhibit professional and ethical dispositions necessary to help all students learn as outlined in the board's Code of Ethics;</p> <p>(3) The unit must provide evidence that their candidates are prepared to incorporate the following areas</p>	

	<p>(A) <u>The integration of Hawaiian language, history and culture in order to promote and perpetuate traditional ways of knowing, learning, and teaching;</u> [and]</p> <p>(B) <u>Student standards adopted by the Department;</u> [and]</p> <p>(C) <u>Teaching of reading including working with students of reading difficulties;</u> [and]</p> <p>(D) <u>Working effectively with students with disabilities, including training related to participation as a member of individualized education program teams;</u> [and]</p> <p>(E) <u>Working effectively with students who are limited English proficient;</u> [and]</p> <p>(F) <u>Working with gifted and talented students; and</u></p>	<p>into their practice:</p> <p>(A) The integration of Hawaiian language, history and culture in order to promote and perpetuate traditional ways of knowing, leaning, and teaching; [and]</p> <p>(B) Student standards adopted by the Department;</p> <p>(C) Teaching of reading including working with students of reading difficulties ;</p> <p>(D) Working effectively with students with disabilities , including training related to participatio n as a member of individualiz ed education program teams;</p> <p>(E) Working effectively with students who are limited English proficient;</p>	
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	<p>(G) <u>Integrating technology effectively into curricula and instruction, including activities consistent with the principals of universal design for learning and the use of technology to effectively collect, manage and analyze data to improve teaching and learning for the purpose of increasing student academic achievement.</u></p> <p>(4) <u>Each program must provide evidence that their candidates meet the standards from a national organization approved by the board for the license fields offered in the program or, for license fields without national standards, the standards approved for the field.</u></p> <p>(5) <u>Clinical experience must meet one of the following requirements:</u> (A) <u>A minimum of four hundred fifty (450)</u></p>	<p>(F) Working with gifted and talented students; and</p> <p>(G) Integrating technology effectively into curricula and instruction, including activities consistent with the principals of universal design for learning and the use of technology to effectively collect, manage and analyze data to improve teaching and learning for the purpose of increasing student academic achievement.</p> <p>(4) Each program must provide evidence that their candidates meet the standards from a national organization approved by the board for the license fields offered in the program</p>	
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	<p><u>hours of supervised clinical experience in student teaching, internship or residency; or</u></p> <p>(A) <u>Demonstration of teaching proficiency through a combination of documented satisfactory work experience and observation by the EPP; or</u></p> <p>(C) <u>Passing a board approved performance assessment normed for Hawaii in combination with any other requirements determined by the EPP.</u></p>	<p>or, for license fields without national standards, the standards approved for the field.</p> <p>(5) Clinical experience must meet one of the following requirements :</p> <p>(A) A minimum of four hundred fifty (450) hours of supervised clinical experience in student teaching, internship or residency; or</p> <p>(B) Demonstration of teaching proficiency through a combination of documented satisfactory work experience and observation by the EPP; or</p> <p>(C) Passing a board approved performance assessment normed for Hawaii in</p>	
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		combination with any other requirements determined by the EPP.	
§8-54-20	<p><u>§8-54-20 Procedure for first-time provisional unit or program review.</u> (a) When applying for approval of a first-time provisional unit or program review the following requirements shall be met:</p> <p>(1) <u>The letter of intent and preconditions must be submitted for consideration no less than eighteen (18) months prior to proposed program implementation; and</u></p> <p>(2) <u>Within six (6) months of acceptance of the letter of intent and preconditions, the unit must submit one (1) unit report and a program report for each program that will prepare educators for initial licensure.</u></p> <p>(b) <u>[HTSB] The board staff will convene a review team and conduct a virtual provisional review of the unit and programs within three (3) months of acceptance of the unit and program reports after staff review and board approval.</u></p> <p>(c) <u>The board will review the panel's recommendation and issue a decision within three (3) months.</u></p> <p>(d) <u>A unit must receive board approval before advertising programs for</u></p>	<p><u>§8-54-20 Procedure for first-time provisional unit or program review.</u> (a) When applying for approval of a first-time provisional unit or program review the following requirements shall be met:</p> <p>(1) The letter of intent and preconditions must be submitted for consideration no less than eighteen (18) months prior to proposed program implementation; and</p> <p>(2) Within six (6) months of acceptance of the letter of intent and preconditions, the unit must submit one (1) unit report and a program report for each program that will prepare educators for initial licensure.</p> <p>(b) The board staff will</p>	

	<p><u>initial licensure, implementing programs and accepting candidates into any educator preparation program.</u></p>	<p>convene a review team and conduct a virtual provisional review of the unit and programs within three (3) months of acceptance of the unit and program reports after staff review and board approval.</p> <p>(c) The board will review the panel's recommendation and issue a decision within three (3) months.</p> <p>(d) A unit must receive board approval before advertising programs for initial licensure, implementing programs and accepting candidates into any educator preparation program.</p>	
§8-54-21	<p><u>§8-54-21 Procedure for continuing unit review.</u> When applying for continuing unit review the following requirements shall be met:</p> <p>(1) Units must obtain <u>accreditation from a national accrediting body authorized by the US Department of Education prior to the expiration of their provisional approval and/or to be eligible for</u></p>	<p><u>§8-54-21 Procedure for continuing unit review.</u> When applying for continuing unit review the following requirements shall be met:</p> <p>(1) Units must obtain accreditation from a national accrediting body authorized</p>	

	<p>continued state approval; and</p> <p>(2) <u>It is the unit's responsibility to apply for renewal or extension and submit all documentation required for the board's review at least six (6) months in advance of the expiration of provisional approval and one (1) year in advance of the expiration of an existing continuing approval period.</u></p>	<p>by the US Department of Education prior to the expiration of their provisional approval and/or to be eligible for continued state approval; and</p> <p>(2) It is the unit's responsibility to apply for renewal or extension and submit all documentation required for the board's review at least six (6) months in advance of the expiration of provisional approval and one (1) year in advance of the expiration of an existing continuing approval period.</p>	
§8-54-22	<p><u>§8-54-22 Procedure for continuing program review.</u></p> <p>(a) <u>Programs may elect national review by the appropriate [Specialized Professional Association] [()SPA()]. The program must receive national recognition or national recognition with conditions.</u></p> <p>(b) <u>Programs not seeking national recognition [will] shall:</u></p> <p>(1) <u>Be reviewed as part of the unit report;</u></p> <p>and</p> <p>(2) <u>Submit an audit to the board as an</u></p>	<p><u>§8-54-22 Procedure for continuing program review.</u></p> <p>(a) Programs may elect national review by the appropriate SPA. The program must receive national recognition or national recognition with conditions.</p> <p>(b) Programs not seeking national</p>	

	<u>appendix to their annual report.</u>	<p>recognition shall:</p> <p>(1) Be reviewed as part of the unit report; and</p> <p>(2) Submit an audit to the board as an appendix to their annual report.</p>	
§8-54-23	<p>§8-54-23 Recommendations for approval. (a) <u>Provisional review teams may make the following recommendations to the board:</u></p> <p>(1) <u>Provisional approval;</u></p> <p>(2) <u>Provisional approval with unit conditions and/or program areas for improvement;</u> or</p> <p>(3) <u>Deny approval.</u></p> <p>(b) <u>Unit and program reports from continuing reviews conducted by national accrediting bodies will be submitted by the unit and programs and considered by the board for continuing seven (7) year state approval.</u></p>	<p>§8-54-23 Recommendations for approval. (a) Provisional review teams may make the following recommendations to the board:</p> <p>(1) Provisional approval;</p> <p>(2) Provisional approval with unit conditions and/or program areas for improvement; or</p> <p>(3) Deny approval.</p> <p>(b) Unit and program reports from continuing reviews conducted by national accrediting bodies will be submitted by the unit and programs and considered by the board for continuing seven (7) year state approval.</p>	
§8-54-24	§8-54-26 Procedure for added	§8-54-26	

field program. (a) A unit or other organization may be approved to prepare licensed educators to add a field to an existing license.

(b) The program will be initially reviewed under the provisional review process.

(c) If the review is part of a unit, subsequent reviews will be conducted at the time of continuing unit review.

(d) If the program is not part of an educator preparation unit but is an organization whose main purpose is to train educators in the specialty area, the program will be reviewed by a state review team. This program may not be used for initial licensure.

Procedure for added field

program. (a) A unit or other organization may be approved to prepare licensed educators to add a field to an existing license.

(b) The program will be initially reviewed under the provisional review process.

(c) If the review is part of a unit, subsequent reviews will be conducted at the time of continuing unit review.

(d) If the program is not part of an educator preparation unit but is an organization whose main purpose is to train educators in the specialty area, the program will be reviewed by a state review team. This program may not be used for initial licensure.

§8-54-25

§8-54-25 Board action following review. (a) The board may take the following actions for provisional unit and program review:

(1) Provisional approval for three (3) years;

§8-54-25 Board action following review. (a) The board may take the following actions for provisional unit and program

- (2) Provisional approval with unit conditions and/or program areas for improvement for up to three (3) years; or
- (3) Deny approval. The unit may appeal or reapply for approval under the process determined by the board.

(b) The board may take the following actions for continued review:

- (1) Full approval for seven (7) years;
- (2) Approval with unit conditions and/or program areas for improvement for up to seven (7) years;
- (3) Probationary approval and designation as "at-risk" for up to two (2) years. The unit and programs must correct the conditions and areas for improvement within two (2) years. The unit may appeal under the process determined by the board;
- (4) Denied and designation as "low performing". The unit may appeal under the process determined by the board; or
- (5) Revoke approval. The unit may appeal under the process determined by the board.

review:

- (1) Provisional approval for three (3) years;
- (2) Provisional approval with unit conditions and/or program areas for improvement for up to three (3) years; or
- (3) Deny approval. The unit may appeal or reapply for approval under the process determined by the board.

(b) The board may take the following actions for continued review:

- (1) Full approval for seven (7) years;
- (2) Approval with unit conditions and/or program areas for improvement for up to seven (7) years;
- (3) Probationary approval and designation as "at-risk" for up to two (2) years. The unit and programs must correct the conditions and areas for improvement within two (2) years. The unit may appeal under

		<p>the process determined by the board;</p> <p>(4) Denied and designation as "low performing". The unit may appeal under the process determined by the board; or</p> <p>(5) Revoke approval. The unit may appeal under the process determined by the board.</p>	
§8-54-26	<p><u>§8-54-26 Annual reporting by educator preparation programs.</u> (a) <u>Educator preparation programs will submit an annual report on a specified form to include at a minimum the following:</u></p> <ul style="list-style-type: none"> (1) <u>Current contact information for the unit;</u> (2) <u>A list of all current traditional and alternative licensure programs offered by the unit;</u> (3) <u>Substantive changes within the reporting year;</u> (4) <u>Progress toward addressing any conditions or areas for improvement on their current approval; and</u> (5) <u>Progress toward obtaining or continuing national accreditation.</u> <p>(b) <u>Hawaii educator preparation programs must submit a recommendation for licensure for program</u></p>	<p><u>§8-54-26 Annual reporting by educator preparation programs.</u> (a) <u>Educator preparation programs will submit an annual report on a specified form to include at a minimum the following:</u></p> <ul style="list-style-type: none"> (1) <u>Current contact information for the unit;</u> (2) <u>A list of all current traditional and alternative licensure programs offered by the unit;</u> (3) <u>Substantive changes within the reporting year;</u> (4) <u>Progress toward addressing any conditions or areas for improvement on</u> 	

	<p><u>completers within six (6) weeks of program completion on a form specified by the [Executive Director] board.</u></p> <p><u>Out of state preparation programs which work primarily with active military and military spouses may also report program completers on this form.</u></p>	<p>their current approval; and</p> <p>(5) Progress toward obtaining or continuing national accreditation.</p> <p>(b) Hawaii educator preparation programs must submit a recommendation for licensure for program completers within six (6) weeks of program completion on a form specified by the board. Out of state preparation programs which work primarily with active military and military spouses may also report program completers on this form.</p>	
§8-54-27	<p><u>§8-54-27 Modification of programs.</u> (a) <u>For minor modifications, the unit will describe the modifications in the annual report and include evidence that program quality is not affected.</u></p> <p>(b) <u>For major modifications, the unit will submit a request to the board for implementation, including a description of the changes and evidence that standards will continue to be met.</u></p> <p>(c) <u>For program elimination, the unit will submit information to the board in writing stating when the program will end, reasons for</u></p>	<p><u>§8-54-27 Modification of programs.</u> (a) For minor modifications, the unit will describe the modifications in the annual report and include evidence that program quality is not affected.</p> <p>(b) For major modifications, the unit will submit a request to the board for implementation, including a</p>	

	<p><u>elimination, and assurances that current candidates will be able to complete the program.</u></p>	<p>description of the changes and evidence that standards will continue to be met.</p> <p>(c) For program elimination, the unit will submit information to the board in writing stating when the program will end, reasons for elimination, and assurances that current candidates will be able to complete the program.</p>	
§8-54-28	<p><u>§8-54-28 At-risk educator preparation programs.</u> (a) A unit will be designated "at-risk" under the following conditions:</p> <p>(1) <u>The unit receives continuing accreditation/approval for less than five (5) years based on their national/state review; or</u></p> <p>(2) <u>The unit's summary pass rate on content examinations falls below eighty per cent (80%).</u></p> <p>(b) <u>A program will be designated "at-risk" under the following conditions:</u></p> <p>(1) <u>The program fails to correct conditions of its SPA approval within the timeline specified by the</u></p>	<p><u>§8-54-28 At-risk educator preparation programs.</u> (a) A unit will be designated "at-risk" under the following conditions:</p> <p>(1) The unit receives continuing accreditation/a pproval for less than five (5) years based on their national/state review; or</p> <p>(2) The unit's summary pass rate on content examinations falls below eighty per cent (80%).</p> <p>(b) A program will be designated "at-</p>	

	<p>SPA;</p> <p>(2) <u>The program receives an approval decision of "Recognition with Probation" on its SPA report;</u></p> <p>(3) <u>The program is given areas for improvement on its board approval and fails to correct the areas within the timeline specified by the board; or</u></p> <p>(4) <u>The program's summary pass rate on content examinations falls below eighty per cent (80%) for a three (3) year average, if applicable.</u></p> <p>(c) <u>Once a unit or program is designated as being "at-risk", the [HTSB] board will conduct periodic monitoring throughout the conditional period.</u></p>	<p>risk" under the following conditions:</p> <p>(1) The program fails to correct conditions of its SPA approval within the timeline specified by the SPA;</p> <p>(2) The program receives an approval decision of "Recognition with Probation" on its SPA report;</p> <p>(3) The program is given areas for improvement on its board approval and fails to correct the areas within the timeline specified by the board; or</p> <p>(4) The program's summary pass rate on content examinations falls below eighty per cent (80%) for a three (3) year average, if applicable.</p> <p>(c) Once a unit or program is designated as being "at-risk", the board will conduct periodic monitoring throughout the conditional period.</p>	
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<p>§8-54-29</p>	<p>§8-54-29 Low performing programs. (a) <u>A unit is designated "low performing" under the following conditions:</u></p> <ol style="list-style-type: none"> (1) <u>It receives continuing accreditation/approval for less than five (5) years based on their national/state review and fails to correct deficiencies and gain full approval within three (3) years;</u> (2) <u>It receives a national accreditation/state approval decision of "Denied" or "Revoked";</u> or (3) <u>The unit's summary pass rate on content examinations falls below seventy per cent (70%).</u> <p>(b) <u>A program is designated "low performing" under the following conditions:</u></p> <ol style="list-style-type: none"> (1) <u>It receives a continuing review decision of Not Nationally Recognized on its SPA review;</u> (2) <u>The program receives a status of Denied Approval on its HTSB review;</u> or (3) <u>The program's summary pass rate on content examinations falls below seventy per cent (70%) for a three (3) year average where</u> 	<p>§8-54-29 Low performing programs. (a) A unit is designated "low performing" under the following conditions:</p> <ol style="list-style-type: none"> (1) It receives continuing accreditation/a pproval for less than five (5) years based on their national/state review and fails to correct deficiencies and gain full approval within three (3) years; (2) It receives a national accreditation/s tate approval decision of "Denied" or "Revoked"; or (3) The unit's summary pass rate on content examinations falls below seventy per cent (70%). <p>(b) A program is designated "low performing" under the following conditions:</p> <ol style="list-style-type: none"> (1) It receives a continuing review decision of Not Nationally Recognized on its SPA review; 	
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	<p><u>applicable.</u></p> <p>(c) <u>Once a unit or program is designated as being "low performing", the unit must:</u></p> <p>(1) <u>Post its status on a website accessible to the public;</u></p> <p>(2) <u>Not accept candidates seeking licensure into the unit/program affected;</u></p> <p>(3) <u>Submit a list to the board of all candidates remaining in the affected unit/program and the expected dates of completion;</u></p> <p>(4) <u>Counsel all affected candidates about choices for program completion both in the unit and transferring to other preparation programs; and</u></p> <p>(5) <u>Submit evidence of progress toward meeting these conditions in their annual report to the board.</u></p>	<p>(2) The program receives a status of Denied Approval on its HTSB review; or</p> <p>(3) The program's summary pass rate on content examinations falls below seventy per cent (70%) for a three (3) year average where applicable.</p> <p>(c) Once a unit or program is designated as being "low performing", the unit must:</p> <p>(1) Post its status on a website accessible to the public;</p> <p>(2) Not accept candidates seeking licensure into the unit/program affected;</p> <p>(3) Submit a list to the board of all candidates remaining in the affected unit/program and the expected dates of completion;</p> <p>(4) Counsel all affected candidates about</p>	
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		<p>choices for program completion both in the unit and transferring to other preparation programs; and</p> <p>(5) Submit evidence of progress toward meeting these conditions in their annual report to the board.</p>	
§8-54-30	<p><u>§8-54-30 Appeals.</u> (a) <u>Any Hawaii educator preparation program that receives an adverse decision may appeal that decision. An adverse decision includes:</u></p> <p>(1) <u>The denial of an application for state approval of a unit of program;</u></p> <p>(2) <u>The conditional approval of a unit or program;</u></p> <p>(3) <u>The designation of "at-risk" or "low performing" status;</u> or</p> <p>(4) <u>The denial or revocation of approval of a unit or program.</u></p> <p>(b) <u>An appeal must be based on the following grounds:</u></p> <p>(1) <u>National or state standards were disregarded;</u></p> <p>(2) <u>Stated procedures were not followed;</u></p>	<p><u>§8-54-30 Appeals.</u></p> <p>(a) Any Hawaii educator preparation program that receives an adverse decision may appeal that decision. An adverse decision includes:</p> <p>(1) The denial of an application for state approval of a unit of program;</p> <p>(2) The conditional approval of a unit or program;</p> <p>(3) The designation of "at-risk" or "low performing" status; or</p> <p>(4) The denial or revocation of approval of</p>	

	<p>(3) <u>Evidence favorable to the unit or program provided to the review team was not considered; or</u></p> <p>(4) <u>Evidence favorable to the unit or program provided to the board was not considered.</u></p> <p><u>(c) An appeal will be heard by an administrative hearing officer who will make a recommendation to the board to either:</u></p> <p>(1) <u>Uphold the approval decision;</u></p> <p>(2) <u>Conduct an board second review of the original team findings; or</u></p> <p>(3) <u>Assign a new review team to review the unit or program to make another recommendation to the board.</u></p>	<p>a unit or program.</p> <p>(b) An appeal must be based on the following grounds:</p> <p>(1) National or state standards were disregarded;</p> <p>(2) Stated procedures were not followed;</p> <p>(3) Evidence favorable to the unit or program provided to the review team was not considered; or</p> <p>(4) Evidence favorable to the unit or program provided to the board was not considered.</p> <p>(c) An appeal will be heard by an administrative hearing officer who will make a recommendation to the board to either:</p> <p>(1) Uphold the approval decision;</p> <p>(2) Conduct an board second review of the original team findings; or</p> <p>(3) Assign a new review team to review the unit or program to make another recommendation</p>	
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§8-54-31	<u>§8-54-31 Reference materials for units and programs.</u> The board shall maintain an electronic repository of guidance materials for prospective and approved units. Reports from unit and program reviews and board approval will be posted electronically on the board's website.	§8-54-31 Reference materials for units and programs. The board shall maintain an electronic repository of guidance materials for prospective and approved units. Reports from unit and program reviews and board approval will be posted electronically on the board's website.	To provide guidance to existing and potential preparation programs for the review, accreditation and approval process.
Appendix A	Old Teacher Performance Standards	New Teacher Performance Standards	Date listed is date of adoption by HTSB.
Appendix B	Old School Librarian Performance Standards	New School Librarian Performance Standards	Date listed is date of adoption by HTSB.
Appendix C	Old School Counselor Performance Standards	New School Counselor Performance Standards	Date listed is date of adoption by HTSB.
Appendix D	Code of Ethics	No Changes	